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LISTENING SESSION ON COOPERATIVE CONSERVATION

COLORADO SPRINGS, COLORADO

SEPTEMBER 19, 2006, 11:00 A.M.

1 PROCEEDINGS

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3 MR. CASE: Welcome to the 16th of 24
4 Listening Sessions on Cooperative Conservation. The
5 15th session started at eight o'clock Mountain time in
6 Miami, so I'm assuming that it's over by now.

7 My name is Dave Case, and I'm the
8 moderator for the session today. I would like to
9 introduce the people here on the podium. Mark Rey
10 is the Undersecretary of Agriculture, U.S.
11 Department of Agriculture. Julie Jacobson is Deputy
12 Assistant Secretary of the U.S. Department of
13 Interior.

14 On my right is Wendy Renfrow. She is a
15 court reporter that will be taking down all of the
16 comments that are made here today. In front of us
17 there is Sandy Fuentes, a sign interpreter, and
18 Karen Cato will be taking turns with her as we go
19 through the meeting.

20 I would like to ask everyone to please
21 stand and join me for the Pledge of Allegiance.

22 (Pledge of Allegiance.)

23 MR. CASE: On to one of the most
24 important things on any college campus: Parking.
25 Most of you should have received and used one of

1 these things as a parking permit. If you get a
2 ticket, please go to the public safety parking desk,
3 which is at the southeast corner of the parking
4 garage, and you can turn that in and we'll take care
5 of it.

6 I would like to start by giving a little
7 bit of an overview. We're going to start by having
8 a few introductions. I'll then turn it over to the
9 two panelists on the stage who will make brief
10 comments. And then the main purpose we're here is
11 to hear your comments, a list of what you have to
12 say about Cooperative Conservation.

13 The process that we're going to use for
14 that, as you came in you should have received --
15 been handed a card like this one that has a number
16 on it. We're going to ask those who would like to
17 make comments to come up to this microphone here,
18 and we'll just start with number one and work
19 through the list.

20 When you come up, if you could make sure
21 you stand close to the microphone so everyone can
22 hear. If you could state your name, spell your last
23 name for us so that we have your name correctly,
24 where you're from, and if you represent an
25 organization, what that organization is.

1 We're going to limit comments to two and
2 a half minutes. We have got a full group here and
3 it's important that we hear from everybody in the
4 time that we have. And we're scheduled to finish up
5 by two o'clock or shortly thereafter, although we
6 will take a break at 12:30.

7 If you're not comfortable making
8 comments here today, or in addition to making
9 comments here today, there is a web address you can
10 go to to submit comments electronically. And I
11 would sure encourage you to do that. There's also a
12 mailing address and a fax number on the card that
13 you can send in comments.

14 My role is twofold; one is to keep
15 everything moving along, and second to keep
16 everybody on topic. And the topic here today is
17 Cooperative Conservation.

18 I do apologize in advance. I was always
19 taught that it's rude to interrupt people when
20 they're speaking. Little did I know that my job
21 would be to interrupt people. So I apologize in
22 advance, if you go much over the two minutes and 30
23 seconds, I'll let you know, and I apologize in
24 advance for having to do that. But I do have a
25 little timer so I won't give anybody -- won't be

1 unfair to anyone.

2 Before we get into the comments from the
3 podium, I would like to introduce a few people and
4 ask them to stand. And we're not going to have a
5 chance as part of this session to have a
6 give-and-take question-and-answer kind of session.

7 We're really here to listen. But after the session
8 is over there are a number of people, including the
9 people on the podium and the people that I'm going
10 to introduce, that if you have additional questions
11 or specific questions, you can sure get with those
12 folks.

13 First is Dorothea Farris. She is a
14 Pitkin County Commissioner. Jim Bensberg, an El
15 Paso County Commissioner. Mitch King, the Regional
16 Director for the U.S. Fish and Wildlife Service in
17 the Denver region back in the back. Jay Slack, the
18 Deputy Regional Director of the Fish and Wildlife
19 Service in Denver. Bob Leverton is the Forest
20 Supervisor at the Pike and San Isabel National
21 Forest -- U.S. Forest Service. And Allen Green is
22 the State Conservationist for the Natural Resource
23 Conservation Service.

24 With that, it's my great pleasure to
25 introduce Mark Rey, the Undersecretary of the U.S.

1 Department of Agriculture.

2 MR. REY: Thank you for that
3 introduction. And thank all of you for being here
4 today. The listening session that you're attending
5 today is the continuation of an initiative that's
6 the embodiment of President Bush's vision and
7 philosophy for conservation and environmental
8 stewardship, and that's called Cooperative
9 Conservation.

10 In keeping with this philosophy, the
11 President signed an executive order in August of
12 2004 entitled "The Facilitation of Cooperative
13 Conservation." That executive order directs five
14 federal departments, including the Department of
15 Agriculture, the Department of Commerce, the
16 Department of the Interior, the Environmental
17 Protection Agency, and the Department of Defense, to
18 implement laws relating to the environment and
19 natural resources in a manner that promotes
20 cooperative conservation with an emphasis on the
21 inclusion of local peoples and local groups.

22 To ensure the implementation of the
23 order, the President called for a White House
24 Conference on Cooperative Conservation, which was
25 held in St. Louis at the end of August last summer.

1 And I can see at least a few familiar faces that
2 attended that conference.

3 That conference was, by the way, the
4 first White House Conference on a conservational and
5 environmentally related topic since 1964. During
6 that historic conference, the nation's leaders in
7 conservation and environmental stewardship generated
8 a wealth of suggestions and ideas for implementing
9 the principles set forth in the Cooperative
10 Conservation Executive Order.

11 Many of those ideas are being
12 implemented across the federal government today as
13 we look at and mold our programs and initiatives.

14 We're here today to continue the
15 dialogue that began last summer in St. Louis. And
16 we would like to hear your thoughts on five separate
17 items. First, ways to help states, tribes, local
18 communities, private landowners, and other partners
19 understand and use the variety of federal
20 environmental and conservation programs.

21 Second, we would like to hear your
22 thoughts on ways to effectively coordinate among
23 local federal agency resource managers and local
24 landowners and stakeholders to achieve conservation
25 results.

1 Third, we would be interested in your
2 thoughts on how to effectively include non-federal
3 partners in decision-making and alleviate
4 disincentives for environmental stewardship.

5 Fourth, we're interested in hearing
6 about ways to effectively use science to inform
7 environmental decision-making.

8 And, lastly, we're interested in knowing
9 your thoughts on how to resolve conflicts that exist
10 in the requirements of federal laws.

11 As the leaders responsible for
12 implementing environmental and conservation efforts
13 in your communities, you're in an excellent position
14 in this beautiful and pristine part of the country
15 to lead by example by living many of the principles
16 of cooperative conservation.

17 So on behalf of President Bush, and in
18 my case specifically, Secretary of Agriculture, Mike
19 Johanns, a neighbor from Nebraska, thanks for having
20 me and I look forward to hearing your thoughts
21 today.

22 Now, in a few minutes, after my
23 colleague from the Department of the Interior is
24 done with her welcome, we're going to do something
25 relatively unique on the part of federal

1 bureaucrats, and that is we're going to shut up and
2 listen to what you have to say. Thank you.

3 MS. JACOBSON: I'll be very brief so
4 Dave doesn't cut me off. Mark and I left
5 Washington, D.C. this morning in the dark and we
6 landed in this wonderful place in the bright
7 sunshine, so it's nice to be here.

8 I'm most interested in learning from you
9 all and listening about local issues and the ways
10 you have solved problems at the local level. And
11 like Mark, I'm excited to listen and keep our ears
12 open and hopefully get some really great ideas to
13 take back to D.C. And I'm just very heartened that
14 this many people are here. And I look forward to
15 hearing from you. And on behalf of Secretary
16 Kempthorne, my boss, thank you very much for coming
17 and we look forward to hearing your comments. Thank
18 you.

19 MR. CASE: Thank you. We'll go ahead
20 and get started. Just to reiterate the process
21 we're going to follow, for those of you who came in
22 at the end there, we have got -- in case you're
23 wondering how many cards have been handed out,
24 there's 82 of them. We'll start with number 1.
25 We'll ask you to come to the microphone, state your

1 name, spell your last name for us so that we can
2 have it correct for the record, where you're from;
3 if you represent an organization, what that
4 organization is. I'll hold up this little card
5 subtly or not subtly at about two minutes and you'll
6 have about another 30 seconds. And, again, I
7 apologize in advance if I need to cut you off.

8 I'll try to keep everything moving
9 along. With that -- oh, again, I just would
10 reiterate again that there is information, if you
11 don't want to come up today, that you can submit
12 information in a number of different ways, and
13 that's included there on the card.

14 So with that I would like to -- one
15 final thing. It's helpful, if you're starting to
16 get close to your number, if you can kind of make
17 your way over here and grab one of these aisle seats
18 and then we won't have to wait for people to make
19 their way across the room and we can make sure we
20 can get everybody in by two o'clock.

21 If you're in the first five, if you
22 could get up and start coming this way.

23 Number 1? Number 2? Number 3?

24 MS. FARRIS: I am Dorothea Farris. I'm
25 a county commissioner in Pitkin County, and I serve

1 on the CCI, Colorado Counties, and the NACo,
2 National Association of Counties.

3 The goal of the endangered Species Act
4 is to provide a mechanism by which we can protect
5 species so that it does not become extinct. The act
6 has been relatively successful in its actions toward
7 that goal.

8 Inadequate funding and political
9 interference are the major obstacles to effect the
10 implementation. So some enhancements are in order.

11 Criteria for determination that a
12 species is a candidate for listing must be clarified
13 and delisting standards must be established.

14 The best available scientific data must
15 be objective, comprehensive, and accurate, and it
16 must not be edited for convenience. Recovery teams
17 must include all stakeholders, primarily wildlife
18 and plant scientists and biologists, but including
19 private landowners, federal, state, and local
20 agencies, land trust, conservation, and
21 environmental NGOs.

22 The purpose of recovery plans must be
23 the conservation and survival of an endangered
24 species. Agencies must be required to implement the
25 recovery plans within a reasonable time period.

1 The protection/recovery of a species
2 requires immediate protection of habitat. Stop
3 actions and projects that adversely affect recovery
4 potential and that lead to loss of essential
5 habitat.

6 Incentives are needed to encourage
7 private landowners to preserve land, protect
8 habitat, and expand protected land. Federal
9 agencies must work with land trusts, state and local
10 governments to expand the funding to landowners who
11 are willing to take those conservation measures on
12 their land.

13 Funding for -- more federal funding
14 needs to be secured for programs, staff, research,
15 and land purchase. We need to increase funding for
16 implementation of listing, recovery, and critical
17 habitat programs. These are the acts or tools for
18 preventing extinction. They have been severely
19 underfunded for decades.

20 The act is the law of the land.
21 Responsible agencies must want to educate the public
22 and some members of Congress about the benefits of
23 the act. It must transmit accurate information, it
24 must adequately fund approved programs, and it must
25 preserve habitat.

1 It's a point of pride, I think, for me,
2 73 million dollars, with assistance from GOCO and
3 Aspen, Summit Village, and Pitkin County, has
4 preserved 13,000 acres in Pitkin County, much of
5 this for wildlife protection.

6 MR. CASE: Thank you. Number 4?

7 MS. STOCKER: I am Nancy Stocker from
8 Denver, Colorado. Since 1973, the Endangered
9 Species Act has been protecting rare wildlife and
10 plants from extinction in this great country of
11 ours. Ninety-nine percent of known native species
12 in the United States in 1973 are still here 33 years
13 later, many as a direct result of this law.

14 In a few cases, such as the whooping
15 crane and the black-footed ferret, heroic measures
16 were needed to save the species. In most cases,
17 however, the Endangered Species Act mandate to
18 protect the species' critical habitat has been the
19 single thing needed to ensure their survival.

20 Since the early 1970s, Colorado has seen
21 heartening increases in some rare species. For
22 example, our beloved national symbol, the bald
23 eagle, has gone from two or three nesting pairs to
24 51. Recently, Colorado recorded its first
25 observation of a wild-born black-footed ferret since

1 that animal was thought to have become extinct.

2 Ironically, much of the benefit from our
3 strong Endangered Species Act comes from its
4 existence rather than its enforcement. Because it
5 is there, state and federal agencies, private
6 organizations and landowners have cooperated to
7 reduce threats to animals and plants that otherwise
8 might have become endangered.

9 Some say the Endangered Species Act
10 should address landscape level treatments rather
11 than individual species. There is much to be said
12 for this approach. I would ask, however, how this
13 would have impacted the black-footed ferret's
14 survival. If we focus on the species, small scale
15 treatments can be implemented as well as treatment
16 at the landscape level. In some cases, both will be
17 necessary for success.

18 A few longtime, private landowners have
19 experienced financial hardship because of the
20 Endangered Species Act. There currently exist some
21 ways to mitigate such situations. More funding for
22 assistance in these rare hardship cases may be
23 needed.

24 Most Americans support the survival of
25 native species of flora and fauna. There is great

1 pressure right now to rush to develop land for
2 housing, recreation, and the recovery of fossil
3 fuels. A strong Endangered Species Act that
4 mandates protection of species' critical habitat
5 encourages us to take time to learn how to both
6 conserve and develop our land and natural resources
7 without destroying our natural heritage. Thank you.

8 MR. CASE: Ma'am, did you represent an
9 organization or just yourself?

10 MS. STOCKER: I'm a member of the
11 National Audubon Society, but I do not represent
12 them. There are other people here that do.

13 MR. CASE: Okay. Number 5. Would you
14 just be sure to spell your last name, please.

15 MS. REETZ: Good morning. My name is
16 Pauline Reetz. That's R-e-e-t-z. And I'm a
17 resident in Denver. I'm here to represent the 3,000
18 members of the Audubon Society of Greater Denver.

19 We strongly support the preservation of
20 wildlife habitat and the protection of species. The
21 Endangered Species Act has been America's hallmark
22 conservation statute, and it has promoted
23 cooperation among federal, state and local entities
24 and private landowners since its passage. Sections
25 6 and 10 of the Act provide for federal cooperation

1 with states and landowners and, most importantly,
2 authorize grants to both for conservation measures.
3 It provides plenty of input for citizens as well.

4 The Act also works indirectly by
5 bringing partners to the table to cooperate in
6 species conservation efforts. In Colorado, the
7 Division of Wildlife is working with landowners to
8 flag nests of mountain plover, *Charadrius montanus*,
9 on private agricultural land to increase the species
10 reproductive success. The Black-tailed prairie dog
11 is now the subject of an interstate agreement and
12 much in-state conservation and management. Both
13 these species were candidates for listing and both
14 are benefiting from the strong provisions of the
15 Act, even though they were not listed as threatened
16 or endangered.

17 The Act has brought Peregrine falcons in
18 Colorado from only four wild breeding pairs in 1979
19 to over 120 breeding pairs today after 25 years of
20 management, including a good section of funding from
21 ESA Section 6 dollars. So that's where the Act is
22 very important there.

23 We now have over 50 pairs of bald
24 eagles, which you have heard about. The Act has
25 prevented extinction for 99 percent of the species

1 that are listed and 68 percent of the species that
2 are listed are stable or improving. So I think we
3 can see that it is working.

4 The Endangered Species Act needs
5 funding, not fixing. Additional funds for listing,
6 recovery planning, consultation, candidate
7 conservation, and landowner incentives would speed
8 up the recovery process and allow us to preserve the
9 rich wildlife and biological heritage that our
10 country was blessed with.

11 Let's let the Act do what it's supposed
12 to do. And I would also mention that the State
13 Wildlife Grants Program, which is in the Interior
14 Department, grants to states for species
15 preservation and conservation. And that needs to be
16 fully funded also. It should be up at 125 million
17 dollars by now.

18 I know there's going to be some talk
19 probably about the Preble's mouse. And all I'm
20 going to say about the Preble's mouse is it's saving
21 us from ourselves. The areas where it lives are
22 areas that flood periodically and can be very
23 dangerous for development. If you remember the Big
24 Thompson flood, 142 people died, million of dollars
25 in damage was done. The mouse is keeping us out of

1 those areas. Thank you very much.

2 MR. CASE: Number 6? Number 7? Number
3 8? Number 9? While you're coming up, there's two
4 people I overlooked in introducing. Laura Woodmoor
5 from Congressman Joel Hefley's office. And Richard
6 Skorman from Senator Ken Salazar's office is here.
7 Go ahead.

8 MS. MAHONEY: Linda Mahoney,
9 M-a-h-o-n-e-y. Good morning. I represent myself.
10 The Endangered Species Act works. Don't try and fix
11 something that isn't broken.

12 Now, what would happen if terrorists
13 decided to use wildfire as a weapon. Imagine the
14 destruction of the Hayman burn magnified and burning
15 simultaneously within many urban wildlands
16 interfaces across the country.

17 The last six years America has had some
18 of the worst fire seasons in recent history. We now
19 have mega fires that exhibit extreme fire behavior
20 and pose enormous threats to communities and
21 ecosystems alike.

22 A record-breaking 8.7 million acres have
23 burned this year and continue to burn across the
24 west. This season we have lost 13 wildland fire
25 fighters. Resources are stretched. Comments such

1 as "We need a Type 1 helicopter" gets response.

2 Don't we all?

3 Incident management teams do not feel
4 safe or free to report safety issues. The toughest
5 disaster response team for the Rocky Mountains was
6 pulled from duty for five weeks while Colorado was
7 under peak fire danger. It took that long to find
8 replacements.

9 The American people are being misled on
10 these issues. The infrastructure of the federal
11 fire fighting course has serious recruitment
12 retention problems. You can start addressing these
13 problems by supporting HR408, the Federal Wildland
14 Firefighter Emergency Response Compensation Act,
15 which would provide the type of portal to portal pay
16 that 98 percent of all paid professional fire
17 fighters in the country receive.

18 By providing fair compensation you will
19 keep the fire fighters who will work their way up
20 the ranks and provide experienced leadership that
21 will strengthen the infrastructure within the
22 agency.

23 Classifications such as forestry aide
24 and technicians don't reflect the challenges of the
25 21st Century, which include changing forest

1 structure, encroachment by organizations, terrorism,
2 drought and global warming.

3 Give these brave men and women the
4 support they have been asking for and deserve. It's
5 the right thing to do. Thank you.

6 MR. CASE: Ma'am, could you repeat your
7 name?

8 MS. MAHONEY: Linda Mahoney.

9 MR. CASE: Were you number 8? Okay.
10 You would think it would be pretty easy to do this,
11 but I get confused. Number 9? 10?

12 MR. TOOMBS: My name is Ted Toombs,
13 T-o-o-m-b-s. And I'm with the Rocky Mountain
14 Regional Office of Environmental Defense.

15 Environmental Defense believes that in
16 enlisting the cooperation of landowners and others
17 in conservation efforts is essential. We have
18 successfully engaged in many different cooperative
19 conservation efforts on behalf of rare wildlife
20 throughout the country.

21 In this region, for example, we're
22 working with many agencies and organizations to
23 build partnerships with private landowners to
24 recover the Utah prairie dog. The partners in this
25 effort include USDA, NRCF, the Utah Department of

1 Natural Resources and the Division of Wildlife, Utah
2 State University, Utah Farm Bureau Federation, the
3 Fish and Wildlife Service, and two local resource
4 conservation and development councils.

5 These partners all agree that
6 encouraging private landowners to participate in
7 voluntary conservation efforts through financial
8 incentives and regulatory insurance as like safe
9 harbor is the key to recovering the species.

10 I want to mention a few things we have
11 learned in building this partnership that we think
12 could help make cooperative conservation work more
13 successfully. First, regulatory and bureaucratic
14 hurdles must be lowered. Permitting and other
15 regulatory requirements that were originally
16 designed to ensure careful scrutiny of
17 environmentally harmful projects often get in the
18 way of environmentally beneficial projects.

19 As a result of these and other delays,
20 it often takes several months to get a safe harbor
21 through the process. And this can be frustrating
22 for landowners who would often like to move quicker
23 to implement conservation efforts.

24 Secondly, the USDA and U.S. Fish and
25 Wildlife Service must coordinate their efforts

1 better with each other and with states and
2 non-governmental organizations.

3 Until recently, in Utah, no federal farm
4 bill funds had ever been used to assist landowners
5 with conservation measures for prairie dogs, even
6 though that opportunity was there.

7 In Utah, the Fish and Wildlife Service
8 was generally unaware of the EQUIP program and its
9 national goal of at-risk species' habitat recovery.
10 And USDA does not promote the program for this
11 purpose.

12 Third, more overall funding is required
13 to assist landowners with endangered species
14 recovery. Management for beneficial practices can
15 be expensive and programs like Private Stewardship
16 Grants Program and the Landowner Incentive Program
17 are too limited.

18 More funds should be allocated and
19 directed toward cooperative efforts to recover the
20 most recoverable species.

21 And, finally, agencies should reach out
22 to landowners in a more proactive way. Farms and
23 ranches are busy people focused on making their land
24 more productive agriculturally and economically.
25 And agencies should actively seek landowner

1 involvement and explain how they can help endangered
2 species while improving agricultural productivity of
3 their land without threatening their private
4 property rights.

5 MR. CASE: Thank you. Number 11? 12?

6 MR. STANSFIELD: Good morning. My name
7 is John Stansfield, S-t-a-n-s-f-i-e-l-d. I'm the
8 vice chair of the Pikes Peaks Group of Sierra Club
9 here in Colorado Springs and in this region.

10 For many years, more than 13 years, in
11 fact, I was involved with Bureau of Land Management
12 Resource Advisory Council, and before that with
13 Citizens Advisory Boards. And that's been a very
14 productive experience for me. I also have 30-plus
15 years of experience in organizing public land
16 service projects.

17 So I believe in cooperative means to
18 publicly and environmentally beneficial ends. A
19 good example for me is the situation we were
20 involved in with BLM and the Resource Advisory
21 Council where we were -- when we were successful
22 working closely and collaboratively with the agency,
23 with the agency staff and with the public on
24 worthwhile projects. And the ultimate result that I

25 think of most is the standards and guidelines for

1 public land health we developed for Colorado. But
2 ultimately the responsibility sat with the agency
3 itself to make the final decision. They had to be
4 the final arbiter.

5 As a teacher, a classroom teacher, for
6 many years, I recognized that early on, I recognized
7 that I could often be friendly, but I could not be a
8 friend, I had to set clear limits, I had to
9 establish a constructive, interesting learning
10 environment, a productive environment, and I had
11 most of all to have high expectations.

12 I think there's an analogy there between
13 that and the way I view the public land agencies and
14 really how I view the Cooperative Conservation
15 Program working through the agencies and the
16 agencies' involvement, that they have to have high
17 limits, they have to have high expectations, they
18 have to set clear limits, and establish constructive
19 environments in which we can all work together.

20 So a couple of local examples before I
21 quit: One, Preble's meadow jumping mouse, the often
22 vilified Preble's meadow jumping mouse, as has
23 already been said, it is also preserving a very rare
24 and important habitat for both flood control and for
25 wildlife purposes in our area. And the Endangered

1 Species Act is working there.

2 Last of all, the Pikes Peak Highway, our
3 group sued the Forest Service and the City of
4 Colorado Springs, the permittee, the Forest Service
5 permittee on the Pikes Peak Highway, after 30 years
6 of cajoling, of trying to work collaboratively with
7 them. Since we sued them, since we settled with
8 them, we have been able to establish an excellent
9 and ongoing project of cooperative conservation with
10 those agencies, that without the Clean Water Act and
11 its citizen supervision we would never have been
12 available to do. Thank you.

13 MR. CASE: Thank you. Number 13?
14 Number 14? 15?

15 MR. BENSBERG: My name is Jim Bensberg,
16 and I am one of five El Paso County Commissioners,
17 which is currently the most populous county in the
18 state among all 64 counties. I would like to
19 welcome my colleague from Pitkin County and former
20 commissioner Loren Whittemore here today, as well as
21 our distinguished visitors from Washington. But I
22 would issue a cautionary note, Mr. Rey, when one
23 travels to a campus of the University of Colorado,
24 the mere utterance of the word "Nebraska" is sure to
25 raise hackles.

1 MR. REY: We did this in Ohio State and
2 I went to the University of Michigan.

3 MR. BENSBERG: With that, let me just
4 say that over the past four years it's been my
5 pleasure to serve as an elected official here, but I
6 continue to hear complaints from not only landowners
7 but taxpayers about the ongoing cost of trying to
8 mitigate habitat for the Preble's meadow jumping
9 mouse.

10 And while I'm sure we all agree that the
11 Endangered Species Act is noble in its original goal
12 as it was promulgated in 1973, there have been no
13 significant changes to it since that time. We
14 believe it's high time to do that.

15 And while we're on this subject, I would
16 like to enter into today's record the editorial from
17 our paper of record, the Gazette, in which they
18 describe this process. In their view, at the
19 Gazette, which I think reflects a majority of you
20 here in El Paso County, is that it's time to move on
21 and reform the Endangered Species Act so that it
22 does what it's intended to do, and does so in an
23 efficient manner.

24 Now, here in El Paso County, as most
25 local governments, have experienced a shortage of

1 cash due to declining sales tax and property
2 revenues. We have been faced with what is in
3 reality an unfunded federal mandate. And while
4 county governments are ill-prepared to handle this
5 type of cost, in this case we're asked to be
6 retroactive in applying for a reimbursement grant
7 for money we have already spent.

8 Thus far, we have committed over
9 \$600,000 in county money of which we have only been
10 reimbursed some \$230,000, and that, again, after the
11 fact.

12 We have only anecdotal evidence, but I
13 aim to remedy that by studying whether the effect on
14 private landowners has reduced their property value
15 and, therefore, reduced the assessed value in terms
16 of real property taxes paid to the county.

17 So with that, I will just give you the
18 benefit of this editorial from today's paper of
19 record. And I'll be available for anyone who would
20 like to ask questions afterwards.

21 MR. CASE: If you could give that to the
22 people right outside, they're there collecting all
23 of that.

24 MR. BENSBERG: You're going to send me
25 outdoors?

1 MR. CASE: I just want to make sure it
2 gets to the right place. Or you can give it to me.
3 I need to take it so I make sure ...

4 If you read comments from the podium,
5 it's helpful to -- and you have a copy, you can give
6 it to us as well. But if you have additional
7 things, give it to me or the Fish and Wildlife
8 Service has a box right outside that you can put
9 them in.

10 Number 16?

11 MR. MACKESSY: Good morning, and thank
12 you for inviting public comment. My name is Dr.
13 Stephen Mackessy, M-a-c-k-e-s-s-y. I'm a professor
14 of biology from University of Northern Colorado.
15 I'm here representing myself, although a number of
16 my colleagues share some of my comments that I'll
17 share with you today.

18 I would like to urge you at the start to
19 do everything within your power to strengthen the
20 Endangered Species Act. I have very serious
21 concerns with legislation that has passed through
22 the House sponsored primarily by Representative
23 Pompo, which is a rewrite and we are afraid it is
24 very much a weakening of the Endangered Species Act.
25 And I'm not alone in that. The Union of Concerned

1 Scientists has signatories from approximately 6500
2 other biologists throughout the United States. And
3 I can leave you this as an example of that.

4 When we think about endangered species,
5 we typically think about bald eagles and other
6 prominent national symbol-like animals. I'm not one
7 of those people. I am a person with rather peculiar
8 habits. And my particular research animals make the
9 Preble's jumping mouse look like a knight in shining
10 armor of sorts. I work with amphibians and reptiles
11 and, in particular, venomous reptiles, which most
12 people would consider to be basically a noxious pest
13 at best. But I would like to mention just two
14 things; one in the southwest and one here in
15 Colorado, that would suggest that these little
16 animals deserve our concern as well.

17 Gila monsters, dangerous animal in the
18 southwest, scary things. From the venom of this
19 thing we have a very potent drug that right now is
20 being used to treat diabetes, a major problem in our
21 country and around the globe. And so without that
22 animal as a source, we would lack a very
23 high-potential drug.

24 Closer to home, we were working with a
25 species of rattle snake in Lincoln County that

1 appears to be in bad shape. It's listed as a
2 state-threatened species virtually everywhere it
3 occurs. I was pretty certain when we started 12
4 years ago that we would recommend listing as well.
5 On the other hand, after working with landowners in
6 Lincoln County and, in fact, working very closely
7 with them and cooperating, getting tremendous
8 cooperation, we found this animal to be extremely
9 common and recommended that it not be listed.

10 This is an example of where cooperation
11 with private landowners can, in fact, provide
12 evidence for delisting or not listing of species.
13 And as a biologist I don't want things listed. I
14 would rather see things intact and doing well.

15 So any kind of programs that can
16 strengthen conservation easement, such as Division
17 of Wildlife Major Conservancy, et cetera, are
18 promoting, those kind of programs have a great
19 potential to involve local participation and to also
20 save endangered or threatened animals. Thank you
21 very much.

22 MR. CASE: Number 17?

23 MR. OLMSTED: Hello. My name is Charles
24 Olmsted, O-l-m-s-t-e-d. I'm a professor emeritus
25 from the University of Northern Colorado. I have

1 also been active with the National Wildlife
2 Federation for a number of years, but I'm here
3 representing myself, neither one of those entities.

4 I think there are two or three large
5 issues here and then some specific. And the large
6 issues have to do with stewardship and the ideas of
7 ownership.

8 The president yesterday said the most
9 important job in government is protecting the
10 homeland. I see something like the Endangered
11 Species Act as a fundamental effort to protect the
12 homeland at a very fundamental level. And I think
13 we need to be aware that the benefits associated
14 with doing that are numerous and they extend far
15 beyond national security in the opportunities for
16 personal health care, the maintenance of cultural
17 values, and economic returns in a number of
18 different ways.

19 The idea of ownership and compensating
20 owners is also an interesting one. I think
21 ultimately none of us really own any of this
22 landscape. We just occupy it for a while. And
23 should there be some linkage established between
24 sort of the link of occupancy and the rights that
25 are associated with manipulating it in some fashion.

1 Is requiring a fee interest within half an hour
2 adequate to prevent the destruction of all of the
3 other components that live in that landscape that we
4 haven't granted property rights to?

5 And that's not something we're really
6 thinking about yet, but I think it's something we
7 need to think about in a constructive educational
8 fashion.

9 With regard to the Endangered Species
10 Act, several people have already spoken to the fact
11 that it's not broken, it doesn't need fixing, but it
12 does need funding. I think the judgment by Fish and
13 Wildlife that a species protection is warranted but
14 precluded should be a thing of the past. We need to
15 have adequate funding that goes to establish
16 recovery plans and to provide mitigation efforts for
17 habitat protection. Thank you very much.

18 MR. CASE: Thank you. Number 18?

19 MR. LOPEZ: Hi. Can you hear me? My
20 name is Jackie Lopez, L-o-p-e-z, and I represent
21 myself. I echo the sentiments of many of the
22 previous speakers. Underfunding and (inaudible)
23 prevention remain two of the largest hurdles to the
24 implementation and enforcement of the Endangered
25 Species Act.

1 Cooperative conservation is a valuable
2 tool for species recovery and habitat conservation.
3 In fact, preservation of our nations most valued
4 treasures are impossible without it. However, the
5 Cooperative Conservation Initiative cannot be a
6 substitute for the much-needed funding required by
7 the Fish and Wildlife Service to carry out its
8 duties. Please hear this message. The Endangered
9 Species Act is not broken. It needs adequate
10 funding, funding for private landowner education and
11 funding for the Division of Wildlife Service. Thank
12 you.

13 MR. CASE: Number 19? 20? 21? 22?
14 23? 24?

15 MS. RUSSELL: Okay. My name is
16 Elizabeth Russell, R-u-s-s-e-l-l. And I represent
17 Trout Unlimited. I'm the abandoned mine lands
18 coordinator for Colorado. And so I'm not talking
19 about the Endangered Species Act; although, we do
20 believe it's obviously an important law.

21 So Trout's Unlimited mission is to
22 conserve, protect, and restore America's cold water
23 fisheries, which are trout and salmon fisheries and
24 their watersheds. And we have been primarily
25 working in the West on focusing on cleaning up

1 abandoned hard rock mines, which is a problem that
2 is unique to the West. And I guess just to say it
3 in one sentence is that the geographic scope of this
4 problem is completely staggering. There's over
5 500,000 abandoned mines scattered throughout the
6 West and the EPA estimates that about 40 percent of
7 our headwater streams are impacted or contaminated
8 with mine waste, which for a group that works on
9 fishing issues and watershed conservation, that's
10 just incredibly alarming.

11 And so we have decided that this is a
12 priority issue for our organization. And we have
13 done a lot of work throughout the western states,
14 primarily in Utah, Montana, Idaho, and Colorado, and
15 our work that we did at the American Fork Canyon in
16 Utah is a really unique project, which we hope that
17 it is going to be a model for work that's done
18 across the west. It's a collaborative program, a
19 collaborative process, and the administrative order
20 or consent that we agreed with with the
21 Environmental Protection Agency is the only time the
22 agency has allowed a Good Samaritan cleanup of a
23 mine in the West.

24 And although that is a good thing, it's
25 definitely a problem that these aren't easier to

1 accomplish in the future. And since mine cleanups,
2 abandoned mine cleanups are primarily collaborative
3 efforts with stakeholder groups, it's really
4 important that Good Samaritan protection is enacted
5 or done through the agencies for groups like ours
6 and other watershed groups and local governments.
7 But it's also what we need, that partnered with
8 strong funding and a strong environmental protection
9 law such as CERCLA and the Clean Water Act and of
10 course the Endangered Species Act.

11 So we definitely applaud all efforts to
12 help collaborative efforts across the West address
13 one of the, I think, least addressed, most important
14 environmental issue that we're facing in the West.
15 Thank you.

16 MR. CASE: Thank you. 25?

17 MR. CONGDON: My name is Robert Congdon,
18 and I represent an endangered species of --

19 MR. CASE: Can you spell your last name?

20 MR. CONGDON: C-o-n-g-d-o-n. I operate
21 on the White River National Forest, or I'm
22 attempting to operate on the White River National
23 Forest in Carbondale, Colorado. I think NEPA and
24 the Endangered Species Act was implemented for good
25 cause, good reason, but I have been on the other

1 side of the street where I have found it also could
2 be used as a club to beat you to death. I have
3 bruises all over me.

4 They have delayed me, stopped me, and
5 actually run me out of business for situations that
6 don't exist. And it's under this clause of we need
7 more study, we have to study. The mining law as
8 enacted, the law is very clear, time frames and
9 periods and how the review process works, it's been
10 totally disregarded.

11 And this hasn't always been the case.
12 For the first ten years of my dealing with the
13 Forest Service we had a great relationship. Yes
14 wasn't always the answer, no wasn't always the
15 answer, but you knew where you stood and you knew
16 how to get where you needed to go. We worked
17 together. We collaborated.

18 Since these old-timers retired and the
19 new people came in with no education and background
20 in mining or geology, special use specialists,
21 recreation managers, that's it, I have been shut
22 down and run out of business because of their lack
23 of understanding of what is going on.

24 And I don't cyanide with gold. I'm
25 rock, marble, alabaster. I applied -- for 10 years

1 I ran only in the summertime and fall because of the
2 Bighorn Sheep in the area. It was always understood
3 between the parties, you bring in three-phase power
4 year round. I brought three-phase power in 2000.
5 Applied in 2002 an amendment to an existing permit,
6 not a new permit, just an amendment, 30 days to
7 review it, 60 days if needed. Three and a half
8 years later I still do not have an answer. And
9 right now I prefer no. Then I could at least appeal
10 it to a higher level to get an answer.

11 This is personal agendas at work.
12 They're using NEPA against me. They started the
13 review process and cancelled it midstream without
14 even a reason. And the person doing the review
15 isn't even certified to do this. There is a
16 certification level I and II they don't have.

17 Something needs to be done. Some common
18 sense needs to be added to this, some provision to
19 get you through it so you don't get where you cannot
20 go forward.

21 Just real quickly, my first experience
22 with the Endangered Species Act was in 1991 with
23 regard to the Squawfish in Grand Junction. I'm 100
24 miles from Grand Junction. I was taking in 300
25 gallons of water from a private source. It caused

1 the federal government to spend three months
2 studying the effect I was going to have on the
3 Squawfish in Grand Junction. And they sent me a
4 bill, after them spending tens of thousands of
5 dollars, for five dollars. All of the rangers were
6 going, "This is ridiculous, but we have no option
7 but to do this." Add a little common sense to the
8 law. Thank you.

9 MR. CASE: Thank you. Number 26?

10 MR. RUSSELL: Hello. My name is Jeremy
11 Dean Russell, R-u-s-s-e-l-l. I represent the Cost
12 of Freedom Eagle Organization.

13 For the last six years I have been
14 carving a 50-foot eagle 100 feet inside of Mr.
15 Congdon's White Banks Alabaster & Marble Quarry.
16 And it's a veterans memorial. I started the
17 nonprofit organization called the Cost of Freedom
18 Eagle Organization. And I have been able to raise
19 money for high school graduate art scholarships as
20 well as better prosthetics for veterans.

21 I have ran into the same problems that
22 Robert has. And the whole time I have known him we
23 have done nothing but planted trees and, I mean,
24 everything basically, according to my understanding
25 in 1972, we had the right for a five-acre mill site

1 on the surface out of a 200-acre mine claim. And
2 that's five acres per claim. We operate on maybe an
3 acre on the surface.

4 There's been speculation about Bighorn
5 Sheep. And the Forest Service, from what I
6 understand, says that they have seen less and less.
7 They're not up there every day. And I have spent a
8 lot of hard work up there and a lot of time. And I
9 have seen more and more and more Bighorn Sheep every
10 year, to the point where they're going to have to
11 start transplanting them other places.

12 I have been approved, had the permits to
13 do what I'm doing. And as Bob said, I mean, some of
14 these permits literally disappeared out of the
15 Forest Service file cabinet. And we can show them
16 copies of them that they don't acknowledge with
17 their signatures on them.

18 As an American citizen I find that
19 highly offensive. I grew up in western Colorado. I
20 love to hunt, fish, hike, the old mine yards, I have
21 great respect. At the same time, the way the laws
22 are set up now -- it's not really that the laws are
23 broken, it's just that the people that are enforcing
24 them aren't doing their jobs. Thank you very much.

25 MR. CASE: Thank you. 27?

1 MR. SUNDSTROM: Good day. My name is
2 Greg Sundstrom, S-u-n-d-s-t-r-o-m. And I'm a
3 forester with Colorado State Forest Service. The
4 mission of the Colorado State Forest Service is to
5 provide the stewardship of forest resources and to
6 reduce related risks to life, property, and the
7 environment for the benefit of the present and
8 future generations.

9 Our agency realizes the need for
10 cooperative conservation and works through many
11 partnerships to accomplish the goals within our
12 strategic plan to accomplish this mission.

13 Our position as an agency within
14 Colorado State University -- go CSU -- and as the
15 forestry division within the Colorado Department of
16 Natural Resources reinforces this cooperative
17 approach. Today here in Colorado Springs with the
18 purple mountain majesties to our west and the
19 fruited plain to our east, we appreciate the
20 opportunity to participate in this listening
21 session.

22 Earlier this month, the USDA
23 Undersecretary Rey, USDOl Deputy Secretary Lynn
24 Scarlett, and USDA Forest Service Chief Dale
25 Bosworth joined our regional forester Rick Cables

1 and Colorado Department of Natural Resources
2 director Russell George for an aerial tour of
3 beetle-infested forest in northwest Colorado.

4 I would imagine as they looked down on
5 the huge areas of dead trees it was hard to
6 determine ownership boundaries. The ecological
7 adjustment taking place in the form of an insect
8 invasion is occurring across the landscape
9 regardless of whose property lies within its path.

10 The same could be said when wildfire

11 enters the scene as a process to adjust the forest
12 ecosystem to what might be considered in balance
13 with the physical and biological resources within
14 it.

15 Both of these are natural processes.
16 History and science indicate that the condition of
17 our forest and other ecosystems today have been
18 caused by how they have been managed as resource
19 needs of our country were met in the past. Stopping
20 undesirable large-scale natural events when they are
21 taking place is often beyond our capabilities.

22 Managing the forest vegetation through
23 cooperative conservation across ownerships can
24 result in sustainable forestry resources for our
25 citizens. It looks like I'm going to run over my

1 time on it.

2 MR. CASE: You can submit that -- if you
3 have it electronically, it would be great to submit
4 that right away.

5 MR. RUSSELL: Recently we have seen news
6 reports where it's been said there's nothing we can
7 do about the present insect invasion. Perhaps
8 nothing can be done to stop the large-scale events
9 as they take place, but we can surely learn from
10 them to help and avoid their impacts in the future.
11 This is where the importance of public-sponsored
12 research entities becomes critical.

13 I suspect that this group also flew over
14 the Continental Divide on the tour. In doing so,
15 they had an opportunity to view the forest
16 watersheds of several major rivers that originate in
17 Colorado. There is no rivers that flow into our
18 state.

19 Following the water from Colorado to
20 work with industrial, recreational, and agriculture
21 usage on both sides of the Continental Divide
22 amplifies the value of managing the watershed
23 vegetation in a sustainable manner, as each use
24 requires a certain quality that only properly
25 managed landscapes can economically supply.

1 Voluntary conservation programs as
2 incentives and assistance for landowners through
3 conservation cooperatives have been the cornerstone
4 of conservation for over 70 years. These programs
5 provide opportunity for the public to be a partner
6 in paying for the benefits expected or provided from
7 private lands.

8 MR. CASE: Thank you. Number 28?

9 MR. GRAHAM: Thank you, Dave. I'm Gary
10 Graham, G-r-a-h-a-m. I'm the executive director of
11 Audubon Colorado, which is the state office of the
12 National Audubon Society here in Colorado. We have
13 9,000 members here distributed across 11 chapters,
14 like the Denver chapter you just heard about, and
15 the Arkansas Valley chapter you will hear from in a
16 minute and the Aiken chapter here located in
17 Colorado Springs.

18 Before I came here I ran the endangered
19 species program in Texas for six years and was the
20 director of wildlife there for four years. And at
21 that time I represented the U.S. official delegation
22 on the society team that went to Africa in '98 and
23 then Chile in 2003. So I sat through the forefront
24 of a lot of conservation issues in Texas where 97
25 percent of the land is privately owned. I was in

1 it would have happened without the really strong
2 protections provided by the existing ESA, people
3 just wouldn't have been motivated to come to the
4 table and try to solve problems, and without the
5 enormous flexibility for implementation found within
6 various existing sections.

7 I would also add here that the Fish and
8 Wildlife Service staff and state biologists on the
9 ground were instrumental in helping these happen.
10 They sought flexibility, sought solutions, and
11 provided really good data to allow us to make
12 decisions based upon really good science.

13 And people ringing their hands about
14 science, and, sure, there's some science that needs
15 to be improved, but 95 percent, 90 percent of the
16 science is right on because of the good work that
17 Fish and Wildlife service and other partners
18 provide.

19 MR. CASE: Thank you. 29? I hate doing
20 that. 30?

21 MR. COLEMAN: Hi. My name is Ron
22 Coleman. I'm the election volunteer coordinator for
23 the NRA, but I'm not a representative. And I'm a
24 member of the NRA.

25 What I'm disturbed about is the National

1 Forest Service closing areas to target shooting.
2 There is an area, there is an official name for it,
3 but I forget, it's four miles north of Woodland
4 Park, where my wife and I have been shooting for 10
5 years, going 20 to 30 times a year. We have never
6 observed any unsafe conditions. In fact, the most
7 target shooters we have seen is like 10 in 10 years
8 and maybe 10 hikers. There's not much traffic.

9 And we went there this Labor Day and we
10 saw signs saying "No shooting." So I started
11 investigating into it. I called Ranger Botts and I
12 called other rangers. And he was giving me
13 different reasons for it being closed. He told me
14 that the Pikes Peak Farms Coalition had been
15 notified -- Dane Nowels over there is the
16 president -- of the closure, but they didn't get
17 back to him. Dane Nowels received no such
18 notification of the closure and nobody there did
19 receive that. And then Dane Nowels was told that an
20 individual had been shot in the area in the arm, a
21 CDOT worker.

22 I investigated. I talked to one lady
23 who was with CDOT for 20 years. She said she never
24 heard of such a thing and she would have known if it
25 happened. I talked to the sheriff in Teller County.

1 The lady said she would have surely heard of it if
2 there was a shooting. And I talked two other CDOT
3 workers that their time with the agency added up to
4 60 years, they never heard of such a thing. I
5 contacted Ranger Botts. He told me he heard it from
6 another ranger that heard it from a worker that his
7 foreman had been shot. And there was no
8 documentation.

9 Well, it's obviously to deter Dane
10 Nowels, just like the Farms Coalition, and to make
11 him think it was a dangerous area, that's my
12 opinion, when there was no documentation.

13 And every turn these people think they
14 say they told Dane Nowels that this area is close to
15 a highway and a paved bike path. It's a half mile
16 away where I shoot. The rule is you got to be 1500
17 yards away from any occupied building or campground.
18 You're well far away from that.

19 And so I had to explain to Dane Nowels
20 the situation. But he had led him to believe that
21 the highway goes right in the middle of the area.

22 I was talking to I think it's Ranger
23 Levitson -- if I pronounce your name wrong, I'm
24 sorry. He was saying basically what it sums up is
25 people hear gunfire and they're afraid. Well, of

1 course people are afraid of gunfire, but people have
2 a right to shoot in a national forest. It's still
3 open to hunting. I'm allowed to shoot a bullet at
4 an animal, that's considered safe, but if I put up a
5 target, I am a criminal.

6 Nothing the National Forest Service does
7 makes sense. I feel like we're misled on this
8 issue. I feel like they misled Dane Nowels. They
9 didn't notify the gun club. And I just think the
10 process is severely flawed. And I just want to get
11 my opinion in.

12 There's other areas that are closing too
13 and they are always using different -- in fact,
14 Ranger Botts said, "Well, it's still a half mile
15 away. A bullet can travel that far." That's not
16 the law of the national forest. The law is you have
17 to be 150 yards away shooting in a safe manner.
18 Under his idea of safe shooting, you would have to
19 be three miles away from anything because hunting
20 ammunition goes three miles. And I don't know
21 what's going on in this state, but I can attest that
22 it's a safe area. My wife there of 38 years can
23 attest it is very safe. We wouldn't shoot there if
24 it wasn't. Anyway, do I have any more time?

25 MR. CASE: No.

1 MR. COLEMAN. Okay. Thank you.

2 MR. CASE: 31? 32? 33?

3 MS. MEDELLIN: Good morning. I'm
4 Margaret Medellin, M-e-d-e-l-l-i-n, and I'm
5 representing Denver Water and I'm also representing
6 the Western Urban Water Coalition.

7 The ESA is a perfect example of a
8 federal conservation program that would benefit
9 strongly from cooperative efforts between the
10 federal government and non-federal entities. The
11 Western Urban Water Coalition has carried this
12 message of our support of the administrative reforms
13 to Secretaries Babbitt and Norton and of our current
14 legal defense of the No Surprises Rule. We also
15 participated in the recent keystone dialogue on the
16 ESA habitat reform.

17 Better than anyone, you understand the
18 difficulties achieving legislative reform of the
19 ESA. The bill you sponsored, Senate Bill 1180,
20 reflected many of the principles of the cooperative
21 conservation that today are recognized as desirable
22 aspects of the ESA program, yet it could not pass
23 Congress.

24 In our own experience in the keystone
25 process, which failed to achieve consensus among

1 interest groups, demonstrates that sweeping action
2 to fix the ESA from Congress is unlikely.

3 So the failure of ESA legislative reform
4 highlights the need for administrative reform to

5 make the ESA work better through cooperative
6 ventures. So we will be submitting detailed written
7 comments on how to achieve this goal.

8 And I have just a few key areas for such
9 administrative reform: Enhanced incentives for
10 landowners, new requirements to make the recovery
11 planning process more meaningful and responsive to
12 state concerns, regulations or guidance to make
13 Section 7 consultation more efficient and responsive
14 to the concerns of the applicants, enforceable
15 standards to ensure that the federal government
16 lives up to its own ESA obligations and does not
17 shift the burden to non-federal entities,
18 rule-making to define concepts such as adverse
19 modification of critical habitat, and improve
20 procedures for designating critical habitat. Thank
21 you very much.

22 MR. CASE: Thank you. 34? 35? 36?
23 37?

24 MS. NICHOLL: My name is Diane Nicholl,
25 N-i-c-h-o-l-l. I'm here representing myself. I was

1 very gratified to hear that a lot of the leadership
2 at the Washington, D.C. level has acknowledged that
3 recreational shooting is a legitimate use of our
4 national forest.

5 I have been a resident of Colorado for
6 about 23 years now, and I have seen a number of
7 opportunities for recreational shooting diminish and
8 diminish on the private side, and that's pushed more
9 people onto public land.

10 And, unfortunately, there's some
11 initiatives going through from the National Forest
12 Service, the Urban Country Initiative is very
13 problematic to us. We're seeing that as a means to
14 gather support for further reducing the shooting
15 opportunities in the national forest.

16 I was very disturbed -- I participated
17 in a number of meetings that were held by the
18 Boulder Ranger District Christine Walsh earlier this
19 year, and these meetings demonstrated a blatant fear
20 and also unwillingness to work well with the
21 recreational shooters in the area.

22 I think there are many shooting ranges
23 that are in the area that have been used to conserve
24 property around them. There are an ample number of
25 examples in Colorado where recreational shooting has

1 worked well with conservation issues.

2 I just urge that there would be more
3 communication perhaps from the top level management
4 to the local districts about the ideas of shooting
5 being a legitimate use and a little bit more
6 cooperative open dialogue between those using
7 facilities.

8 There are a number of people here in
9 Colorado, there's the Colorado State Shooting
10 Association and the Firearms Coalition of Colorado
11 that have a good base of people who participate in
12 this, but most individuals who go to our national
13 land for this recreational opportunity aren't
14 grouped into an organization of any kind. So it has
15 to take a special attempt to get their voices heard.
16 Thank you very much.

17 MR. CASE: Thank you. 38?

18 MR. CLAWLEY: My name is Kenton Clawley,
19 C-l-a-w-l-e-y. The lady that was just up pretty
20 well said everything I said. But since you're from
21 Washington, I was kind of curious. I also reside in
22 Kansas. And there's been mountain lions being
23 released by, it seems like, federal agencies in
24 Kansas, and then it gets to the newspapers that they
25 have wandered from Colorado to that area.

1 So I'm just kind of curious if you
2 fellows in Washington could look into this. Because
3 they're not mice, they're not ferrets, they're not
4 chickens, they're mountain lions. And having your
5 children out in the farm, if one comes up, you know,
6 they're known to do that in California quite a lot.
7 So if it's going on, if they are being transported
8 from this region out to those areas, and I think to
9 say that, well, they're out there, let's make this a
10 protected area, I just hope this is not happening.
11 But if it is, I would like you guys to look into
12 this. And that would bring cooperation, I think,
13 between the federal government and what's going on
14 locally. Thank you.

15 MR. CASE: Thank you. Did you have an
16 affiliation or just representing yourself?

17 MR. CLAWLEY: Myself.

18 MR. CASE: Thank you. 39?

19 MR. LOCKHART: Thank you for the
20 opportunity. My name is Jim Lockhart,
21 L-o-c-k-h-a-r-t. I'm the conservation chair for the
22 Pikes Peak Sierra Club group here in Colorado
23 Springs. And, you know, I welcome the opportunity
24 to engage in a discussion on cooperative
25 conservation.

1 I think all too often when we talk about
2 that, what we're really talking about is cooperative
3 implementation of means utilization. I think too
4 many of us are still living in the Eisenhower era of
5 conservation when conservation means take all you
6 want but eat all you take. And that starts to fail
7 and fail badly and there's no longer anything out
8 there new to take.

9 And I would love to see an opportunity
10 to talk about conservation, what it means,
11 conservation. I think there is a strong role for
12 the federal government. And as this problem
13 increases, as there's more need for conservation,
14 that role is only going to increase. And I would
15 like to give you one example of that, the situation
16 here in Colorado Springs with regard to Fountain
17 Creek.

18 Colorado Springs has the growth. And
19 the City of Pueblo downstream of us has a problem.
20 I really do not know how the two sides would ever
21 get together with such competing and different
22 interests if there were not the strong Clean Water
23 Act to set the rules, to set the guidelines to
24 describe the duty. I don't know. They would just
25 shout past each other. I really don't know how they

1 would ever sit down at a table and resolve these
2 competing interests.

3 So I hope you will keep these federal
4 mandates, these federal laws strong so that we can
5 have dialogue, and meaningful dialogue, on these
6 complicated and difficult issues. Thank you.

7 MR. CASE: Thank you. 40?

8 MR. HAILE: My name is Jerry Haile,
9 H-a-i-l-e. I'm the Director of Environmental
10 Services for El Paso County, Colorado. I'm also on
11 the board of directors for the National Association
12 of Local Government Environmental Professionals out
13 of Washington D.C., as well as a member of the
14 National Association of Counties, Environment,
15 Energy, and Land Use Subcommittee.

16 The comments I'm going to make following
17 are specific to my role as the director of El Paso
18 County Environmental Services Department. While
19 species conservation and preservation is essential,
20 the time to update and improve the Endangered
21 Species Act is long past due. It's been estimated
22 that 90 percent of all listed species are located on
23 private land. Because of this, there needs to be
24 renewed efforts to find cooperative rather than
25 punitive incentive-based solutions if real progress

1 is to be made.

2 There are a number of steps that could
3 be taken to improve the Act. First, it is essential
4 that science -- it is essential that the science
5 upon which decisions are made must be improved. At
6 a minimum, the Endangered Species Act decisions need
7 to comply with the Information Quality Act and all
8 data must be made available to the public.

9 Second, the implementation of the
10 Section 7 consultation requirements must be
11 improved. Improvements include defining key
12 regulatory terms such as adverse modification and
13 jeopardy and ensuring that the applications and
14 other stakeholders affected by Section 7
15 consultations are allowed to participate.

16 Third is developing the critical habitat
17 guidance to ensure that an open and consistent
18 designation process is followed. The process must
19 account for the cumulative impacts, assess the
20 biological value of habitat, and encourage landowner
21 participation by exempting all property, both public
22 and private, enrolled in an existing or pending
23 habitat conservation plan from critical habitat
24 designation.

1 opportunities for voluntary conservation efforts by
2 providing incentives, reducing barriers, developing
3 programmatic permits, and streamlining and
4 developing approval processes for habitat
5 conservation plans. Thank you.

6 MR. CASE: Thank you. 41?

7 MS. MOSS. My name is SeEtta Moss,
8 spelled S-e-E-t-t-a, M-o-s-s. And I'm a landowner.
9 I'm also a water rights owner. And I own guns and
10 have been known to do recreational shooting. I'm
11 from Canon City, Colorado. I'm also the
12 conservation chair with the Arkansas Valley Audubon
13 Society, representing 500 members who support
14 strongly the Endangered Species Act. And I'm going
15 to speak to some different issues.

16 Brooding and wildlife watching has been
17 found to be a multimillion dollar industry in the
18 United States and also a big industry in Colorado.
19 Indeed, a recent Colorado Division of Wildlife study
20 found that wildlife-watching brings in more economic
21 value and supports more jobs in the state of
22 Colorado than either fishing or hunting, both of
23 which have had great economic value in this state.

24 This is a very important aspect as you
25 think about that there is an economic importance to

1 the wildlife species that we are conserving. I am a
2 birder. I have right now 35 birders down in Canon
3 City going after a rare bird that's come through.
4 We bring in big economic value to rural areas that
5 are very depressed.

6 I also want to mention the Teshekpuk
7 Lake, a special area in Alaska, and there is a
8 recent court action that stopped the drilling in
9 there, and it needs to be permanently stopped. We
10 need to support that wildlife, some of which come to
11 Colorado that we birders watch.

12 There was discussion of common sense.
13 Well, it's common sense to support economic
14 development. And wildlife watching and birding are
15 major economic pieces of the economy in this state
16 and in this nation. So it's important to keep that
17 species diversity by keeping the Endangered Species
18 Act strong.

19 The Endangered Species Act does work.
20 Sixty-eight percent of the species listed under the
21 ESA are either stable or improving. I challenge you
22 to find other programs in your administration with
23 those good figures.

24 Without a strong ESA, your cooperative
25 conservation efforts would be rendered nothing but

1 an exercise in futility. I ask you to keep the ESA
2 strong. As has been said before, it's not broke, it
3 doesn't need fixing, it needs supporting. Let it
4 be. Thank you.

5 MR. CASE: Thank you. 42?

6 MR. GILL: Good afternoon. My name is
7 David Gill. I am the vice president and I am
8 speaking on behalf of the Colorado State Shooting
9 Association. We are the oldest firearms and hunting
10 rights group in the state. We were founded in 1926.

11 There is a problem in our national
12 forests. We have had our forest service shut down
13 many of the established -- longtime established
14 traditional informal recreational shooting areas.

15 Their justification for it seems to be a
16 specious interpretation of a regulation adopted
17 sometime during the Clinton administration. It
18 states that you cannot discharge a firearm within
19 150 yards of a structure. Well, it has been
20 reinterpreted to mean 150 yards of any improvement.
21 That would include, not only houses, but roads,
22 trails, et cetera.

23 This leads us to the improbable
24 situation where you have to have a parking lot 150
25 yards from a firing line. Heaven forbid you should

1 develop a trail and improve a trail from the parking
2 lot to the firing line, because you would then have
3 to move the firing line back 150 yards further.

4 If this isn't bad enough, we had
5 representatives of the Pike National Forest approach
6 the Douglas County Commissioners and show them a map
7 and say, "This is what we want to do." Well, this
8 closes down all shooting in the Pike National Forest
9 in Douglas County, roughly a third of the county.
10 It was asked, "Well, what was your justification?
11 How did you arrive at this map?" They had drawn a
12 line that was a half mile from any known road,
13 trail, or structure. Well, this left very, very few
14 areas, a couple of postage stamps, that were a half
15 mile from any trail.

16 And this is just inadequate protection
17 of an existing right. It is making a mockery of the
18 long-term use of multiple use of our public lands.
19 We would ask that this be revisited.

20 We would also ask that you take a look
21 at what is being done to the Buffalo Creek Gun
22 Range, another long-standing use. It's been a range
23 in existence since World War I. The Forest Service
24 is deliberately increasing their fees, using a
25 specious appraisal, to the point that they cannot

1 afford to close them down. They're doing the same
2 to the Columbine Archery Range. We would appreciate
3 it if our Forest Service would once again embrace
4 multiple use. Thank you.

5 MR. CASE: Thank you. 43? 44? 45?
6 46?

7 MR. SIMS: I'm Jim Sims, S-i-m-s. I am
8 the executive director of the Partnership for
9 America, which is a broad-based, grassroots group
10 of people from all walks of life who believe a
11 simple thing, and that is that we need a
12 common-sense balance between economic growth and
13 wildlife conservation.

14 I agree with a lot of the speakers that
15 spoke earlier today that the ESA does not need
16 fixing, it's not broken. But I agree with that only
17 if the ESA that you're trying to protect is an ESA
18 that, one, doesn't help recover species, gives a
19 government the power to tell us how to run our
20 lives, gives the government the power to control our
21 lands, gives the government the chance to come in,
22 people that don't even live in Colorado, to come in
23 here and tell us what to do with our private land.
24 If that's the ESA that you want to defend and see go
25 forward, then I agree it doesn't need fixing,

1 because that's what we have today.

2 On the other hand, if you think we want
3 an ESA, we deserve an ESA that focuses on recovering
4 species to health, actually getting them off the
5 list because they don't need to be on it anymore, an
6 ESA that works cooperatively with people on the land
7 to do the right thing, if that's the ESA you want,
8 that's not what we have today.

9 We need to change the current law. In
10 some cases we need to strengthen it so that
11 recovered species -- now, don't just take my word
12 for this. It's not just my opinion. The single
13 most important statistic that tells you whether ESA
14 has been successful or not is this: In 33 years,
15 how many species has the ESA helped recover to
16 health? The answer is, one percent. That was one
17 of the ESA's primary missions.

18 Now, another way of saying that is, this
19 is a federal law, this is the most powerful federal
20 law on the books that has failed 99 percent of the
21 time in its core mission. Now, I challenge you to
22 find a federal law of this magnitude that has that
23 bad a record.

24 I'm not here just to bash the ESA.
25 There are things we can do to make this law better.

1 In some cases we do need to strengthen the Act. And
2 you want specific suggestions, I'll give you a
3 couple. Number one, give state and local
4 governments more of a say in how we do a listing and
5 how we put together a recovery plan. Those are the
6 folks that are going to be make the stuff work
7 anyway. Two, open the listing process to the
8 sunshine of public disclosure. Let people know who
9 is filing these things.

10 I had several others and I'll list them
11 in my remarks. But, in summary, ESA can be improved
12 and it has to be improved if we care about the
13 species. Thank you.

14 MR. CASE: Thank you. 47?

15 MR. HENRY: I'm Daryl Henry. I'm with a
16 group called Americans for American Energy based in
17 Denver, Colorado. It's a grassroots nationwide
18 group of people who care about promoting more
19 American energy as a solution to some of our
20 problems that we have today.

21 And the recent run-up in gasoline prices
22 shows us the vulnerability of our reliance on
23 foreign energy and our lack of diversity in our
24 energy supplies. For too long, U.S. energy and
25 environmental policies has basically increased our

1 imports for energy.

2 The irony here is that the epicenter of
3 terror and hatred for the American way of life is
4 also the epicenter for where we import our energy.
5 And not only are we putting our security at risk,
6 American consumers are paying the price. We all
7 know about the gasoline prices, but we also know
8 that natural gas has gone up 300 percent in the past
9 six years and that increases the cost of heating
10 your home and electricity.

11 Cooperative conservation, it should work
12 to help develop more American energy in a clean and
13 responsible manner. That said, we need ANWR. ANWR
14 basically has enough oil to replace all of the oil
15 we import from Saudi Arabia for 30 years. We need
16 energy from our oceans in the Gulf of Mexico. The
17 natural gas off our coasts in the Gulf of Mexico in
18 the ocean could heat 60 million American homes for
19 100 years.

20 Clean coal technology. We are the Saudi
21 Arabia of coal. We need to employ the clean
22 technologies that allow us to continue to burn this
23 fuel and access to it for energy development in the
24 West as well as oil shale.

25 NEPA and ESA reforms are needed so we

1 can go out there and cleanly and responsibly access
2 our energy. And oil shale in the West, you know,
3 the sad part is there's more economically
4 recoverable oil in the oil shales that we have in
5 three states than all of the Middle East.

6 So I'm hoping as we go forward in
7 cooperative conservation we balance the environment,
8 we balance the economy, we balance jobs, we balance
9 recreation, and most of all we don't forget about
10 our national security. Thank you.

11 MR. CASE: Thank you. 48? 49? 50?
12 51? 52?

13 MR. DICKINSON: T. Wright Dickinson,
14 D-i-c-k-i-n-s-o-n. I'm here today speaking on
15 behalf of Club 20 and Vermillion Ranch Limited
16 Partnership.

17 My family has ranched through -- been
18 stewarding the nation's public and private resources
19 for 121 years. We're rather proud of that. I'm
20 also on the board of the directors of Colorado
21 Cattlemen's Association and the past chairman of
22 Club 20.

23 I appreciate the opportunity to be here
24 and comment on this, as well as the opportunity to
25 be invited last year to the White House Summit on

1 Cooperative Conservation.

2 I encourage the administration to
3 continue to implement this. Specifically to Mark
4 and Julie, what you all need to do is get that
5 guidance to the field in what cooperative
6 conservation is, and, in particular, the -- what
7 adaptive management means to these agencies. I know
8 there are instruction memorandums that have gone
9 out, but those haven't gotten to the field, and
10 those of us that are out there trying to do this
11 desperately need them.

12 I would encourage you to look closely at
13 the comments that Club 20 will submit, in particular
14 toward ESA reform, and I would encourage you to look
15 closely at what we have been about in Colorado for
16 the last eight years. I'm quite proud of the fact
17 that we have down-listed or delisted 19 species in
18 this state, and it has been done out of a model of
19 cooperation.

20 We have found ways to make things work,
21 but it is going to take an amendment of the Act to
22 really make that happen. In particular, the
23 preventing of the listing of the Black-tailed
24 prairie dog came about as the fact that there was
25 not enough science and research out there, and we

1 made that happen and it improved and we have
2 landowners actually working cooperatively with
3 folks. But you always get more with honey than you
4 do with lemon. And that's what I believe this
5 cooperative conservation is about. So keep
6 spreading the honey, please.

7 MR. CASE: Thank you. 53? 54? 55?

8 MR. FAUX: My name is Ken Faux, F-a-u-x,
9 the ecologically correct fau faux.

10 I would like to congratulate Mr.
11 Secretary for his fine choice of education. I'm
12 sure you look forward to the game tomorrow as much
13 as I do.

14 The idea of cooperative conservation is
15 interesting to me as I have gotten involved in some
16 of these issues, because cooperation is sort of the
17 spirit of "Can't we all just get along." And I
18 think you have seen today from many of the comments
19 that have been made that there is a bipolar approach
20 in many cases to which side of the fence you're on.

21 This is very destructive, I think, to
22 the efforts of conservation in general and to the
23 Endangered Species Act.

24 One of the other problems I see is
25 whether you believe that 99 percent of the species

1 that have been listed are still around or whether
2 you believe that only one percent is really
3 recovered isn't really the issue. It's the funding
4 that people would like to see is available in minute
5 quantities and there are lots of other issues that
6 need funding as well.

7 So is it really how much funding we need
8 to add when the resources to do that are fairly
9 limited or is it how we utilize those resources to
10 best make this thing work.

11 I doubt that when the ESA was first
12 considered that something in excess of 1300 species,
13 with another 500 currently involved in lawsuits
14 become listed, was the intent or the expectation.
15 We really have already proven that we can't afford
16 to do this. It's done a couple of things. It's
17 taken a huge administrative burden and put it on the
18 staff of the agencies involved to the point where
19 they can't respond timely to their own guidelines
20 and regulations. It's put piles of paper on desks
21 of guys who would rather be out in the field doing
22 something good.

23 So I urge everybody to consider that not
24 everyone is a special interest, not everyone wants
25 to bulldoze the Front Range. Many of the people of

1 this state and others are stewards of the land that
2 they may have ranched or farmed or owned for
3 generations, and that this is a problem that needs
4 your efforts to kind of bring this dialogue back to
5 the center if we are planning to see any progress
6 whatsoever. Thank you.

7 MR. CASE: Sir, besides the University
8 of Michigan, do you have an affiliation?

9 MR. FAUX: I'm just an interested
10 citizen.

11 MR. CASE: Thank you. 55? Thanks for
12 reminding me.

13 MR. POISTER: Good afternoon. My name
14 is Paul Poister. That's P-o-i-s-t-e-r. And I'm
15 here this afternoon on behalf of the Western
16 Business Roundtable, which is headquartered in
17 Golden, Colorado, but is made up of energy resource
18 and a variety of different financial services
19 companies located throughout the western United
20 States.

21 Not to continue the same theme, but a
22 top concern of many of our member companies is the
23 form of the Endangered Species Act. I'm going to
24 cite one example. One of our natural gas
25 development companies has employed a full-time field

1 biologist, someone with academic training on
2 endangered species. And when they are considering
3 going out and developing a piece of property for
4 natural gas, they send their science team in first
5 and they look at all of the endangered species
6 issues that could possibly arise before they break
7 ground or put that first drill in.

8 That's the type of cooperative
9 conservation I think we ought to encourage. To the
10 extent federal policy needs to be adjusted to
11 encourage that, we would hope you would take that
12 back to Washington, Mr. Rey.

13 And I would finally, following on the
14 previous speaker's comments, add a very specific
15 example. Here in El Paso County we have got an
16 issue with the Preble's meadow jumping mouse. This
17 is an issue that's been in the media quite a bit
18 over the last few years and, unfortunately, as some
19 very highly regarded scientists have found, it's not
20 even a species of itself. We're starting to get
21 down to a level of division that, you know, it's a
22 distinct population of a different kind of mouse,
23 but because it's met that criteria, it's standing in
24 the way of recreational use and development and a
25 whole host of things that could be of some value to

1 El Paso County.

2 So when you're looking for specific
3 examples, we're really worried about that mouse and
4 getting it back off the list. Thank you.

5 MR. CASE: Thank you. I believe the
6 next number I have is 56, but I think what we do is,
7 sir, is take a quick break. These are very talented
8 people up here, but they are not superhuman. So
9 we're going to take about a 10-minute break and
10 we'll be back at 20 till 1:00.

11 (A recess was taken.)

12 MR. CASE: We're ready to go ahead and
13 get started. I would like to make one introduction
14 that I overlooked. Stan Ponce, Stan, if you're in
15 here. Stan Ponce over here. Stan is the acting
16 regional biologist in the central region for the
17 U.S. Geological Survey.

18 Next we're going to start with number
19 56.

20 MR. FANKHAUSER: Good afternoon. My is
21 Terry Fankhauser, F-a-n-k-h-a-u-s-e-r. I'm the
22 executive vice president for the Colorado
23 Cattlemen's Association, and I'll be representing
24 the voices of about 14,000 beef producers in
25 Colorado today.

1 First off, I would like to thank
2 Secretary Rey and also Ms. Jacobson for taking time
3 out of your busy schedule to listen to what rural
4 Colorado citizens have to say. I would also like to
5 take the opportunity to thank this administration
6 for the efforts that they have made on these issues
7 that we're talking about today, because I think they
8 have been substantive, at least by the viewpoints of
9 our industry. So thank you. I know you don't hear
10 that enough.

11 I don't think I'll break the mold. I'll
12 talk about the Endangered Species Act a little bit.
13 Obviously it's an important issue to the livestock
14 industry in Colorado. We have heard a great deal
15 about some of the impacts and how the Act is
16 managed.

17 The Cattlemen's Association, both in
18 Colorado and nationally, are requesting that
19 interior Congress look at some rewrites, some mild
20 rewriting of the ESA in order to implement a program
21 that is more effective and efficient.

22 ESA affects land use like no other
23 statute. Conservation of wildlife is important, but
24 there are serious problems with the Act that need

25 updating.

1 I'm going to read a couple of points
2 that we would like to put out there. The decisions
3 affecting listing and delisting should take place
4 only if there is data to support these decisions.
5 If individuals are going to be regulated by the
6 government, there must be a demonstrable reason for
7 doing so.

8 Peer-reviewed science should be required
9 to support all decisions made under ESA. Recovery
10 plans should be focused on eliminating threats to
11 the species, not establishing species populations.

12 The ESA statute specifically calls for
13 listing and delisting decisions to be made on status
14 of threats.

15 A significant portion of range, that's
16 another issue. Species should be delisted when the
17 threats to the species statuses are eliminated.
18 Delisting should not be dependent upon species being
19 reintroduced in every geographical portion of their
20 range.

21 Public land grazing, we appreciate the
22 efforts that have been made there. It's very
23 important. I'll mention that cooperative
24 conservation is a key for our industry. It works
25 through law-making, regulation, and implementation.

1 We have the state's largest land trust
2 that cattlemen created. It's interesting that
3 landowners migrate to that cooperative effort on the
4 largest geographic basis.

5 One other point: Increased regulation
6 always causes increase in consolidation. It's
7 interesting to note we were founded in 1867 when
8 there were four times less endangered species in
9 Colorado and four times more ranchers. Today there
10 are four times more endangered species and a fourth
11 less ranchers. Thank you.

12 MR. CASE: Thank you. Number 57?

13 MR. DANE NOWELS: My name is Dane
14 Nowels, N-o-w-e-l-s, and I'm the president of the
15 Pikes Peak Firearms Coalition. I also might mention
16 to Mark that I am a Buckeye. I went to Ohio State
17 University, got a degree in agriculture. Spent 20
18 years working in production agriculture in Ohio
19 before I moved out here. Learned stewardship from
20 my grandfather, who had been a farmer. Our family
21 goes back a couple hundred years farming in Ohio.

22 My grandfather taught me stewardship.
23 And that stewardship did not include preserving
24 weeds, bacteria, and bugs.

25 I would -- just as an aside, I would say

1 that there are probably not -- nobody in this room,
2 I'm sure, but there may be some proponents of the
3 ESA that would want to preserve the very bugs that
4 are killing our pine trees here in the state of
5 Colorado. That's a little absurd in my estimation.

6 But I'm not here to talk about bugs.
7 I'm concerned about my rights as a gun owner to
8 shoot in my national forests and on BLM land and
9 that kind of thing. It's been stated very
10 eloquently before me that we do enjoy those rights.
11 We enjoy safe gun use in our BLM and forest service
12 lands now. And we're very concerned that we see a
13 movement underway to close down forest service land,
14 BLM land, to the use of firearms for recreational
15 use. And that's all I have. Thank you.

16 MR. CASE: Thank you. 58? 59?

17 MR. SCHNACKE: Thank you. Secretary
18 Rey, Undersecretary Jacobson, thank you for coming
19 to Colorado today. My name is Greg Schnacke. I'm
20 the executive vice president of the Colorado Oil and
21 Gas Association. That's S-c-h-n-a-c-k-e.

22 COGA represents the voice of the
23 Colorado Oil and Gas producers, gatherers,
24 processors, pipelines and refining interests in the
25 state. We're the sixth-largest gas producing state

1 in the country, producing about seven percent of
2 U.S. gas. Just to put that in perspective, our
3 daily production is roughly equal to the output of
4 what came out of the Gulf of Mexico that went off
5 line when Hurricane Katrina went through there. We
6 are roughly a 9.5 billion dollar industry in the
7 state. That produces about 70,000 jobs, both direct
8 and indirect jobs in the state. We are -- that
9 equates to about two times the economic output of
10 the travel industry in the state, three times the
11 ski industry. The Aggies just left. We have been
12 declared bigger than them by the state geologists,
13 but I won't claim that title today.

14 We cooperate directly today with surface
15 owners, farmers, and ranchers. The state oil and
16 gas commission statistics show that over 90 percent
17 of the time surface use agreements are executed
18 before we reach a -- before we receive a drilling
19 permit. And we believe that percentage is much
20 higher, because a lot of surface use agreements are
21 executed after the drilling process in terms of a
22 settlement period. I have been told verbally we
23 think that's well above 95 percent.

24 Trillions of cubic gas -- trillions of
25 cubic feet of natural gas are identified underneath

1 non-park, non-wilderness, non-roadless lands today.
2 This is gas that America needs, that we know it's
3 there, we know exactly where it is, but we need your
4 help to get to it. That's why -- we can produce
5 these American resources if given a chance through
6 the cooperative conservation effort, which we
7 support.

8 I would like to echo some of the
9 comments by Jim Sims, by Terry, with regard to the
10 reform of the ESA. And also I would include in that
11 the NEPA reform is needed as well. We need to have
12 certainty in our regulation and ability to process
13 that we can rely on instead of endless litigation,
14 endless challenges that create opportunities -- or
15 eliminate opportunities for U.S. producers to
16 produce these resources here.

17 We support your efforts. We appreciate
18 you being here today. And anything we can do to
19 bring technical and scientific support to your
20 effort, certainly call on us and we'll do that.
21 Thank you.

22 MR. CASE: Thank you. 60?

23 MS. DOUGLAS: My name is Valerie
24 Douglas, that's D-o-u-g-l-a-s, and I'm here
25 representing COHVCO, the Colorado Off Highway

1 Vehicle Coalition. COHVCO is in Colorado to
2 preserve motorized recreational opportunities within
3 Colorado. COHVCO actually has cooperative
4 agreements in place in the form of MOUs with the BLM
5 and the forest service on a state level and also at
6 local levels throughout the state.

7 COHVCO is also working on cooperative
8 conservation in the form of doing OHB grants. Last
9 year alone, in 2005, we put down 1.5 million dollars
10 on the ground to conserve public access to public
11 lands.

12 Also in 2005 we had over 200,000
13 volunteer hours in order to put those 1.5 million
14 dollars on the ground.

15 COHVCO believes that NEPA does need to
16 be reformed into a more cost-effective and more
17 efficient process. We would also like to assist in
18 a way to help you enhance the cooperative
19 conservation effort by allowing the agencies to
20 promote their ability to have cooperative agreements
21 with private and public sectors. Most public and
22 private sectors don't understand that they can enter
23 into agreements with agencies. It's not marketed.
24 It needs to be marketed in order to make it more
25 cost-effective for the government.

1 Documents like memorandums of
2 understanding, assistance agreements, cost-share
3 agreements all assist in conservation. One good
4 example of conservation the motorized recreation
5 community has in here in Colorado is the Stay the
6 Trail Program. It is a simple message that we
7 promote to all users of the forest and BLM land to
8 stay on the trail so we can keep trails open so that
9 we don't have users going out into conservation
10 areas, such as wetlands and riparian areas and
11 destroying the environment. So that's one good easy
12 way to promote conservation.

13 MR. CASE: Thank you. 61? 62?

14 MR. REEVES: My name is Dale Reeves,
15 R-e-e-v-e-s. The idea of cooperative conservation
16 is a misnomer if they're going to ban shooting in
17 the national forest. I think it's an unfair and
18 prejudicial decision.

19 I'll soon be 68 years old. I have been
20 handling firearms since I was 12. I found the need
21 to further educate myself on the use of firearms.
22 Last year I joined the Pikes Peak Firearms
23 Coalition.

24 If there's responsible shooting -- and I
25 think most people that handle guns realize the

1 before the endangered designation was triggered.
2 Listing the California gnatcatcher threatens first
3 the development of this plan which protects
4 ecosystems and includes private as well as core
5 public lands.

6 The policy since 1994 has fixed many
7 problems of the ESA. Additional regulations, such
8 as safe harbors, have been adopted to encourage
9 private owners to actually enhance habitat on their
10 land rather than simply responding to the presence
11 of endangered species.

12 This allows landowners to do what is
13 morally right for future generations without
14 imperiling their livelihoods.

15 There are disease-curing drugs to be
16 found in the Gila monster, species that could be
17 used to hybridize good crops, watersheds that must
18 be protected. We do not want to exterminate species
19 or habitats, in part, because they give us food and
20 raw materials, pollinate crops, purify the air we
21 breathe, maintain the fertility of soils, reduce
22 damage from floods and detoxify waste.

23 And since we humans are now pushing the
24 loss of species to a level up to a thousand times
25 greater than has occurred historically, it's time

1 for the ESA to be tweaked again to help public and
2 private entities save species and ecosystems before
3 they get to the critical stages.

4 We also need to look at other laws that
5 actually endanger species; extractive mining,
6 drainage for sugar, recreation even. We should not
7 be subsidizing with the left hand what we are trying
8 to save with the right. At a minimum, companies
9 that endanger species should lose their subsidies.

10 The ESA does work. It should simply be
11 made stronger, simpler, and better at what it's
12 intended to do, preserve the natural wealth of
13 ecosystems for future generations, create an ark for
14 the world.

15 MR. CASE: Thank you. 64?

16 MR. HALL: Good afternoon. My name is
17 Marty Hall. I represent the International
18 Association of Geophysical Contractors, IAGC for
19 short. I'm the Western U.S. Committee Chairman and
20 I work in the geophysical business.

21 I would like to -- I didn't come with a
22 prepared statement, I came to listen, but I wanted
23 to address your question concerning utilization
24 of -- better utilization of science to protect the
25 environment and wildlife.

1 I would like to encourage you
2 to encourage geophysical exploration because it
3 reduces the actual effect -- overall effect on the
4 environment in the long run. We are a temporary
5 transient type operation. We do not build roads.
6 We do not build brick sites. We help the oil
7 companies, oil and gas companies, figure out where
8 the best place is to drill for hydrocarbons in order
9 so that they can avoid dry holes and, you know,
10 building needless roads and needless sites.

11 We actually improve their -- after they
12 look at our data from our scientific evaluation, we
13 actually improve their success rate substantially,
14 usually twice as much, with 3D exploration.
15 Therefore, there is a lot of roads, road building,
16 and a lot of major work that is avoided because of
17 what we're able to accomplish with our analysis.

18 Because we have almost zero impact on
19 the environment and wildlife, it would be good if
20 you guys from Washington could encourage down
21 through the ranks your people that oversee the
22 regulations not to over-regulate and not to be --
23 just to follow the regulations, specifically the CFR
24 3150s. We can live with those. And if they will
25 follow them and not be too liberal with their

1 interpretations, then we can further do our work and
2 reduce the overall impact on the environment. And
3 actually in the long run we also are enhancing
4 national security by finding more hydrocarbons
5 domestically. Thank you.

6 MR. CASE: Thank you. 65? 66? 67?

7 MR. LANE: First of all, my name is Eric
8 Lane. I work at the Colorado Department of
9 Agriculture in Lakewood. Thank you for coming to
10 Colorado to listen to our concerns. Mine are going
11 to be addressing the topic of noxious weeds. And I
12 would like to address some agency concerns as well
13 as some kudos first for USDA.

14 The National Forest Service held its
15 first ever National Invasive Species Conference here
16 in Denver in mid-June, which was welcomed, and I was
17 one of the few people from outside the agency that
18 had the opportunity to participate.

19 And it's clear to me that the agency has
20 done its homework on what the chief has called one
21 of the four biggest threats to our national forests
22 and grasslands. And they have a strong
23 understanding of the problem. They have a strong
24 solution. And all that remains to resolve the
25 problem from the Forest Service standpoint is to

1 funds it, fund the plan.

2 That plan has been done at the national
3 level, it has been broken down to the regional level
4 and many of our national forests have sub-tiered on
5 that, but they don't have the resources to deal with
6 it. I mean, this is also a funding resources deal,
7 I'm sure, as well.

8 Staffing capabilities have to be
9 improved. If you want to be a partner, you have to
10 be able to bring something to the table besides just
11 dollars to say could you do this work for us. And
12 in some of the best weed management areas of
13 Colorado it's because BLM and Forest Service have
14 the staff and equipment to partner with local
15 government and private landowners.

16 I also want to address the slowly
17 diminishing fundings through the Forest Health
18 Protection Program that Rob Mangold operates.
19 Dollars seem to be diminishing, and yet that's one
20 of the best ways for the Forest Service to make
21 investment in surrounding communities to help
22 address problems outside the forest before they
23 become a problem for the forest.

24 And for the NRCS, Alan is here, and I
25 just want to say thank you to him, because over the

1 last 12, 18 months the NRCS has really gone from
2 doing what I consider to be very little to doing
3 very much. They have started to dedicate dollars in
4 the EQUIP program to some of our high-priority weed
5 management problems and are developing their own
6 strategic plan to deal with noxious weeds and other
7 invasive species in Colorado. And I commend that
8 effort.

9 As far as BLM and U.S. Fish and Wildlife
10 Service, the first question on the BLM is, where is
11 the programmatic that GIS has? This thing has been
12 going on for years and if you can go back to EC and
13 kick something loose, like a record of decision,
14 that would be exceptional, because it's holding up
15 your folks as well as ours.

16 And then, lastly, with the Fish and
17 Wildlife Service, we don't have very many refuges in
18 Colorado, although we seem to be growing in leaps
19 and bounds. The existing refuges are underfunded,
20 from Brown's Park to Alamosa, which is sort of the
21 perennial pepperweed ground zero for the state.
22 It's an embarrassment to the refuge service.

23 And simply adding resources to their
24 work would be an outstanding improvement. With a
25 new refuge like Baca coming online, being added to

1 the Monte Vista and Alamosa refuge unit, with no
2 additional resources to deal with invasives, I'm
3 really concerned that what's going to happen is
4 we're going to go from a very pristine situation
5 next to the Great Sand Dunes to something that's
6 quite heavily infested. So the refuges need more
7 attention and less lip service on this particular
8 issue.

9 And then lastly, with my final breath,
10 I'm interested in how we can move beyond individual
11 agency programs addressing very piecemeal parts of
12 the larger environment natural resources problem and
13 how USDA and USCI can better merge their programs
14 across Fish and Wildlife Service, across NRCS, to
15 address more fundamental issues like riparian health
16 and habitat. Instead of saying, let's go get all
17 the (inaudible,) let's look at the riparian health
18 of a system, look at the hydrology, look at the
19 plant community we do want, look at the wildlife
20 community we want, and the benefits that the
21 landowners in that area and those communities accrue
22 from having a healthier riparian system. It's a
23 tough problem, but it needs to be addressed sooner
24 rather than later.

25 MR. CASE: Thank you. 68? 69? 70?

1 71? 72?

2 MR. CORDOVA: Hello. My name is Bob
3 Cordova. I'm a cow-calf operator east of Colorado
4 Springs. I was honored to be asked to the series of
5 the White House Conference on Cooperative
6 Conservation in St. Louis.

7 I have a few things to say that weren't
8 brought up. And one of them is private lands. As
9 an independent cow-calf operator who runs strictly
10 on private lands, that's something that wasn't
11 brought into the equation with 90 percent of the
12 endangered species on private lands.

13 Well, you asked how can the
14 government -- how can the federal government best
15 respect the interest of people with ownership in
16 land, water, and other natural resources.

17 Seventy-five percent of all the water in
18 the west is in private hands. People are constantly
19 wanting to make laws to beat us out of our private
20 property rights. And I think this ought to be
21 addressed. I mean, what can the federal government
22 do for us? They can't do anything for us. They
23 really can't. It's personal responsibility. And
24 the people that want to push the endangered species
25 on us, on our own private land, need to come and

1 talk to us.

2 We have -- I have and other landowners
3 have endangered species. That doesn't mean we're
4 out there shooting at them all the time, with the
5 exception of prairie dogs. Anybody wants to think
6 they're endangered, please bring your truck. But we
7 have everything from golden eagles, we have the
8 burrowing owls, which were supposed to be on the
9 endangered species list.

10 I recently took a Colorado Fish and Game
11 biologist on my place to show him everything. And
12 he said he had never seen so many burrowing owls in
13 his life in one spot.

14 Am I close?

15 MR. CASE: Thirty seconds.

16 MR. CORDOVA: Well, thank you very much.
17 I just want to say this, that these people that are
18 worried so much about the endangered species need to
19 try to make a living off of them. I don't know how
20 the spotted owl tastes -- I mean the burrowing owl
21 tastes, but I hope it never comes to that. Thank
22 you.

23 MR. CASE: Thank you. 73? 74? 75?

24 MS. PRUETT: High. I'm Gloria Pruett,
25 P-r-u-e-t-t, and I represent myself. I grew up here

1 in the Springs and my family has been in Southern
2 Colorado for over a hundred years. And I'm not a
3 scientist or anything, but what I definitely notice
4 is a change in the environment.

5 We used to not have smog in the Springs
6 and now we're covered with it like Denver. The snow
7 on the Peak leaving in April and May instead of in
8 August. And I contribute that to development. But
9 as I said, I'm not a scientist, so I don't know
10 about those types of things. I didn't hear if you
11 were from the Department of Defense.

12 MR. CASE: No.

13 MS. PRUETT: I'm sorry somebody isn't
14 here from there because another issue that I have
15 with development is the Pinon Canyon Expansion. The
16 military has said that there is a problem in Pinon
17 Canyon, there is not enough room to do maneuvers,
18 and they're destroying the land, and so their answer
19 is to request more land. And the taking of that
20 land will not only destroy the environment that's it
21 in, but it's going to take it into town and it's
22 going to desecrate the graves of pioneers in our
23 country and my ancestors. So those would be my
24 concerns. Thank you.

25 MR. CASE: Thank you. 76? 77? 78?

1 MR. HAMMOND. My name is Mark Hammond.
2 I'm also known as the cave man. I'm in the Pikes
3 Peak Firearms Coalition. I'm a life member of the
4 NRA. I'm a four-wheel drive guide and a cave guide.
5 I volunteer for the Forest Service. I maintain
6 eight and a half miles of the old Gold Camp Road,
7 and which we needs to get reopened.

8 When I go up in the forest I have got so
9 many things to take with me; you know, all my
10 disability. And I carry fire-fighting equipment. I
11 carry my firearms. I carry camping equipment. And,
12 you know, I pick up trash, and I took seven and a
13 half pickup truckloads out one summer over eight and
14 a half miles of road.

15 You know, I don't know -- never know
16 what I'm going to do. I go up and spend several
17 days. I do some shooting. I do some graffiti
18 cleanup. I pick up the trash. You know, Gold Camp
19 Road, for instance, has been closed because the
20 people that live near the beginning of it there want
21 to keep it closed to raise their property values.
22 They want to keep the rest of us riffraff, so to
23 speak, out.

24 A lot of us on disability cannot get up
25 there. I can't hike it. I can't carry all the

1 gear. The only way you know when I'm out there is
2 the dry spot where my truck was parked. I leave the
3 forest cleaner when I come out than it was when I
4 went in.

5 And I'm on a disability income. I don't
6 get reimbursed for it. It's just something I like
7 to teach the etiquette of the forest, the
8 conservation. I'm also the conservation chairman
9 for the Colorado Cave Conservation Coalition, which
10 is a whole other thing with the cavers and exploring
11 caves in the national forests and so forth.

12 I mean, I wear many hats, but I'm not
13 going to repeat a lot of the stuff that everybody
14 else has said.

15 One of the things, you know, like with
16 the Preble's mouse, a mouse is a mouse, you have a
17 mouse in the house, you put out the trap, you put
18 out the DeCon. You know, solve the problem with the
19 humane society, take the feral cats, put them in the
20 bushes there where the mice are, they'll take care
21 of it. Rodents, you know, they spread disease.
22 And, you know, it's not a big deal, you know. I
23 mean, if you have, you know, rodents in your house,
24 you're going to take care of them. If a Preble's
25 mouse comes in the house you're going to tell me I

1 can't set a trap?

2 But, you know, I don't want my rights
3 diminished as far as getting to go up and do all the
4 varying activities that I like to do.

5 I have been shooting for 55 years. I'm
6 going to be 60 next month. And, you know, I just
7 think we all got to get together and we all got to
8 share.

9 MR. CASE: Thank you. 79? 80? 81?
10 82? 83? I'm sorry. I thought you were leaving.

11 MR. WHITTEMORE: I'm Loren Whitemore.
12 I'm only here as a private property owner, a rancher
13 all my life, and I'll leave my other credentials
14 behind for that reason.

15 I welcome you here to Colorado. I don't
16 think it was an imposition to bring you from
17 Washington out here after visiting that town for a
18 few times.

19 But what I would urge is, before you
20 take anything new into the Endangered Species Act,
21 is solid scientific study of it before it ever
22 happens. And I go specifically to what's really on
23 my mind and heart, and that's the prairie dog.

24 Several years ago they talked of putting
25 it on as an endangered species. Since that time

1 that species has totally exploded. The professors
2 tell me that the drought exacerbates that.

3 But, anyway, I can take you to Eastern
4 Colorado and show you literally sections that have
5 been decimated because of the prairie dog. I think
6 that if we would -- if it was an endangered species
7 now, there would be very little or anything we could
8 do about it.

9 So I think really that is a classic
10 example of a species gone wild, that if it had been
11 on the endangered species, we would be in more
12 trouble than we are now. Thank you for the time and
13 we welcome you to Colorado and enjoy your time here.

14 MR. CASE: Thank you.

15 MR. PARADIS: I have enjoyed Loren for
16 many years, both as our past county commissioner and
17 currently working for Congressman Hefley.

18 My name is Paul Paradis. I want to
19 address a couple --

20 MR. CASE: Can you spell that, please,
21 your last name?

22 MR. PARADIS: Yes. P-a-r-a-d-i-s. My
23 real job is I'm a criminalist for a state agency,
24 but I also own a gun store. I'm the Political
25 Action Committee Chair for the Pikes Peak Firearms

1 Coalition. I've been in this community. My life in
2 Colorado is pretty much tied to the forest in a
3 number of different ways.

4 My first problem that I would like to
5 address is that we tried to find information on this
6 meeting by contacting the local office and were told
7 they didn't have any clue what we were talking
8 about. There seems to be a lot of communication
9 problems. The first e-mail that I received gave a
10 wrong time and place as to where this was at. So I
11 would ask that on two fronts: One, daytime for the
12 average worker is very difficult to get here. And
13 if we could pick night meetings or weekend meetings,
14 that might be appropriate. I think you would have
15 more information from the local population.

16 I guess I'm here differently than
17 anybody else. And I'm going to speak as a gun store
18 owner. Let me digress just a second, if I may. The
19 Pikes Peak Firearms Coalition is a group of pro-gun
20 people who support education and safety in this
21 community. We have been around for a number of
22 years and we enjoy membership. All the members of
23 the county commissioners are members of our
24 organization, a number of city council people, a
25 number of state representatives and state senators,

1 as well as our local sheriff, undersheriff, and
2 district attorney. We're not the crazy gun nut that
3 gets identified in many newspaper cartoons. We are
4 looking to cooperate.

5 And because we have said that, we have
6 found ways to cooperate in our own community, with
7 the exception of the Forest Service. I have had
8 personal incidents and incidents with the coalition
9 in which it's been more of an obstructionist view.
10 And from my investigation, and some more, there is
11 an attitude of anti-gunness in some of the people
12 trying to get a special use permit, for example.

13 I'm different in that owning a gun
14 store, trying to teach people to shoot, trying to
15 teach them to be safe and respectful of the forest,
16 we provide millions of dollars through excise taxes.
17 There's 100,000 boxes of ammunition used in normal
18 target shooting for every box of ammunition that's
19 used in hunting, but yet we seem to be the bad guys
20 in the community. I'm asking for a personnel change
21 to get someone that wants to be cooperative with us
22 out here. I'll leave it at that. I think I'm over
23 my time.

24 MR. CASE: Thank you. 84? 85? 86?
25 87? 88?

1 MR. WRIGHT: My name is J.D. Wright,
2 spelled with a W. I represent the Colorado
3 Association of Conservation Districts. We feel that
4 we're the premier conservationists in the state. We
5 have 77 districts, cover every acre in the state of
6 Colorado. We represent the landowners which make up
7 95 percent of the land in the state of Colorado. We
8 work very closely with NRCS, with Nature
9 Conservancy, with the Environmental Defense Fund,
10 the Fish and Wildlife Service. Every division of
11 conservationists we interact with.

12 I have recently been involved with the
13 planning of the preservation of the central short
14 grass prairie region, which I would appreciate if
15 you folks would consider it as a priority area,
16 similar to the prairie pothole region in the north
17 and the pine forests of the south.

18 We have one of the most prolific amount
19 of wildlife. Bob talked about the owl. Bob and I
20 are neighbors. We go way back. I hope I don't have
21 to start eating that owl, but, folks, I'm struggling
22 like heck to make a living. And the breaks that
23 we're getting from the drought, from the cost of
24 fuel, the whole process is out of balance for the
25 agricultural community to survive. And this is not

1 a joke. This is not something that you're hearing
2 from a radical. I don't consider myself to be a
3 radical.

4 But legislation and administration of
5 the program should be focused on the owner/operator
6 of the land.

7 Right now a lot of money, CRP money, is
8 going to people that are absentee landowners. We
9 people that live in those communities where that CRP
10 is strong are having to take care of their land
11 during fires and storms and so forth. And I really
12 feel that one of the biggest changes or the angle
13 that should be taken, the direction that should be
14 taken, is that any monies spent through conservation
15 be directed at owner-operators that are raising
16 their family on the farm.

17 We raised our two children. Now we're
18 raising grandchildren. And that is the backbone of
19 America, is the people that live on the land, that
20 take care of the land. And if we can be helped in
21 some way to do a better job of stewardship, then
22 that's what should be done with federal dollars.

23 And I really appreciate the fact that
24 the Secretary and Julie have come out. It's
25 worthwhile that we get a chance to meet with people

1 and to understand that we are -- the landowners in
2 this state are the primary providers of innovation,
3 of character building, of spirituality. And those
4 things are being lost.

5 As Bob said, there is a fourth as
6 many -- no, that was Terry. A fourth of our
7 population is all that's left. And, folks, we
8 provide the impetus to run this nation. It's not
9 done in Washington. It's not done in New York City.
10 It's done in Eastern Colorado. Thank you.

11 MR. CASE: Thank you. 88? 89?

12 MR. MIULLO: Hello. My name is Nat
13 Miullo, M-i-u-l-l-o. I'm with the Environmental
14 Protection Agency in Denver. I'm here on behalf of

15 Robbie Roberts, regional administrative to welcome
16 Mark and Julie to our region. Thank you for doing
17 your stint at the table so we didn't have to.

18 I just also formally wanted to recognize
19 speaker number 24, Elizabeth Russell's comments on
20 Good Samaritan and the examples that Good Samaritan
21 mine cleanup projects bring as cooperative
22 conservation success stories, and would welcome you
23 both to go back and support some of the concepts --
24 I think I can say the word "legislation" without
25 getting in trouble -- that is going on by a couple

1 of our lawmakers here in Colorado to do mine site
2 cleanups, protect the environment, and bring several
3 partners, such as the NRCS, the BLM, the Forest
4 Service, together on the ground as your most
5 competent and capable staffs have. Thank you for
6 the time and thank you for your work.

7 MR. CASE: Thank you.

8 MR. WINTERS: Good afternoon. Thank you
9 for being here. My name is Ed Winters. I am
10 representing Moffett County. And I just wanted to
11 take this time to thank you for coming and listening
12 to us and allow us to comment.

13 Couple of things. Moffett County has
14 had a strong stance of cooperative conservation
15 working with several state and federal agencies in
16 our area, and we support wholeheartedly the concept
17 of cooperative conservation. And one of the key
18 examples of where that policy is working is in the
19 creation of Northwest Colorado Stewardship Land
20 Trust that BLM, the Forest Service, U.S. Fish and
21 Wildlife Service, and several state agencies in
22 Moffett County is working together on.

23 What we have found through that process
24 is that the concept of adaptive management is the
25 best method to use. What we are asking is that --

1 that is happening at the local level. We would like
2 to see it happen at the local levels, but the
3 agencies need to see that, come down from the
4 national level to the agencies on the field in the
5 area.

6 Also, Moffett County supports the
7 creation of and continued implementation of the safe
8 harbor type policies for landowners and permittees.
9 And we just -- like I said, we just support
10 cooperative conservation. And thank you for your
11 time.

12 MR. CASE: Thank you. Is there anybody
13 else that didn't get a chance to come up today that
14 would like to? I think we have been through all the
15 numbers. Anybody else? If not, then I would like
16 to -- is there someone over here? Okay.

17 MR. CORDOVA: Can a person add a
18 comment?

19 MR. CASE: Well, two seconds.

20 MR. CORDOVA: I can't walk there in two
21 seconds.

22 MR. CASE: As long as you don't say
23 anything that makes somebody else want to get up.
24 If you promise me that. I'll be in big trouble
25 otherwise.

1 MR. CORDOVA: I want to thank you for
2 having this cooperative conservation meeting here.
3 But one thing I would like to add with what J.D. had
4 to say, J.D. Wright, is there are 77 districts in
5 Colorado that are the leaders in conservation in the
6 state of Colorado. But there's also 3500 districts
7 in the nation, including the islands of Guam and
8 every state in the union, including Hawaii and
9 Alaska, and I feel that you would be further served
10 to include these districts in these meetings.

11 And we do do an awful lot. It's all
12 volunteer time. In Colorado alone, we gave 40,000
13 hours last year. So I would like to see -- unless
14 somebody wants to match that, then I think that's
15 the end of the conversation. Thank you.

16 MR. CASE: Thank you. And thanks for
17 not getting me in trouble for allowing you to talk.

18 With that, I would like to introduce,
19 call back to the podium Deputy Assistant Secretary
20 Jacobson for some closing comments.

21 MS. JACOBSON: Well, following on that
22 last gentleman's comments, I don't know if we did
23 any listening sessions in the territories, but there
24 was a listening session in Hawaii, but I didn't go.
25 I wasn't invited. But I was invited here and I'm

1 actually more thankful that I came to Colorado than
2 to Hawaii, to be frank.

3 There's been a lot of comments about
4 universities. And I just can't pass this
5 opportunity up. I'm actually a native of Bozeman,
6 Montana. There is a small little Division II school
7 called Montana State University that seems to have
8 beat a pretty important football team a couple weeks
9 ago. So I just had to get a little jab in there for
10 the Montana State Bobcats.

11 I want to thank you again for coming.
12 I'll tell you one thing that I'm impressed about.
13 Mark and I sat here and listened. My notes, I have
14 seven pages of notes, and we have the recorder, but
15 what is impressive is that you all stayed to listen
16 to each other. And, unfortunately, in Washington,
17 D.C. you wouldn't see that. You would see somebody
18 make a comment and leave. They don't listen. And I
19 find myself, I'm probably that way too. So I was
20 very impressed by that.

21 And I also was very impressed by how
22 concise your comments were. I know we had Dave here
23 to keep you on time. But they were well thought out
24 and that means a great deal to me I know when I go
25 back to report back to folks. So thank you for

1 coming, thank you for staying, and I look forward to
2 chatting with you when we conclude here. Thanks.

3 MR. REY: I also want to thank you for
4 coming and thank you for your insight. This is the
5 third of these sessions that I have done this week,
6 having been in Arizona, and Northern California
7 prior to this. And I have 16 pages of notes that
8 I'll take back with me to Washington, D.C. tonight
9 and mull over on the plane and then subsequently
10 talk over with my other colleagues from the other
11 agencies and departments who are sponsoring these
12 sessions.

13 In St. Louis in August of last year it
14 was said more than once, and I agree, that we are in
15 the process today of starting to write the fourth
16 chapter in the history of American conservation.
17 The first chapter was the chapter written by
18 Theodore Roosevelt over a century ago. The second
19 was the chapter written during the New Deal by
20 Franklin Roosevelt and the New Deal movement. And
21 the third was the chapter written during the 1960s
22 and 1970s with the growth of environmental awareness
23 and the development of an environmental framework
24 that we still operate and thrive under today.

25 With the thoughts that you have shared

1 with us here today and elsewhere around the country,
2 I hope we can have some success working together on
3 that fourth chapter of American conservation
4 history, one that will involve different tools and
5 different techniques to address different kinds of
6 problems that we face today and tomorrow than the
7 problems that we may have faced previously.

8 It may be that the problems that we face
9 today deal more with environmental restoration
10 rather than environmental protection. And it may be
11 that the tools that we developed in the 1960s and
12 1970s won't work as well for some of the
13 environmental restoration challenges that we face.

14 That doesn't mean that we'll necessarily
15 replace the framework for environmental protection
16 that we developed during that period as we were
17 writing the third chapter in the American
18 conservation experience, because we'll still need
19 that framework to deal with environmental
20 protection, the siting of new facilities, and the
21 additional development that's going to occur as we
22 serve the needs of our population.

23 But it may be that the tools that are
24 useful to site a new manufacturing facility aren't
25 necessarily going to be the same tools that are

1 helpful in restoring an abandoned mine on federal
2 lands. And I think that's the secret of what we're
3 trying to do and what we're trying to achieve, is to
4 figure out, with your help, how we can begin working
5 on that fourth chapter and committing it to writing,
6 because it's not something that we'll achieve
7 overnight or with just the experience that those of
8 us who work and live inside Washington's beltway
9 enjoy.

10 So thank you for your assistance and for
11 your insights and thank you for your help in
12 beginning the process of writing the next chapter of
13 our national conservation experience.

14 MR. CASE: Thank you, Mr. Rey, Ms.
15 Jacobson. On behalf of all the federal agencies, I
16 would like to thank you for your time and effort in
17 coming here. Also, I would particularly like to
18 thank Sharon Rose and her staff of Fish and Wildlife
19 Service who took care of a lot of the logistics it
20 takes to put something like this together.

21 If you want to make more comments, of
22 course, there's places you can do it. If you really
23 want to do it in person, next Tuesday at one o'clock
24 in Pinedale, Wyoming, we'll have another one of
25 these meetings. They say there's not much going on

1 up there, so it may be pretty quiet. So that's the
2 next meeting that will be held. Thanks for coming.

3 (Session concluded at 1:34 p.m.)

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1 STATE OF COLORADO)
2) ss REPORTER'S CERTIFICATE
3 COUNTY OF EL PASO)

4

5 I, Wendy Renfrow, do hereby certify that I am a
6 Registered Professional Reporter and Notary Public
7 within the State of Colorado.

8 I further certify that these proceedings were
9 taken in shorthand by me at the time and place
10 herein set forth and was thereafter reduced to
11 typewritten form.

12 I further certify that I am not related to,
13 employed by, nor of counsel for any of the parties
14 or attorneys herein, nor otherwise interested in the
15 result of the within action.

16 In witness whereof, I have affixed my signature
17 and seal this _____ day of _____,
18 2006.

19

20 _____
21 Wendy Renfrow, RPR

22

23 My Commission expires March 8, 2009.

24

25